

May 6, 2008



TRANSCRIPT
May 6, 2008

MONTGOMERY COUNTY COUNCIL

PRESENT

Councilmember Michael Knapp, President
Councilmember Roger Berliner
Councilmember Valerie Ervin
Councilmember George Leventhal

Councilmember Phil Andrews, Vice-President
Councilmember Marc Elrich
Councilmember Nancy Floreen
Councilmember Duchy Trachtenberg



May 6, 2008

1 Council President Knapp,
2 Good morning everyone. I apologize for our delay. It is budget season and everyone is
3 trying to negotiate a lot of.

4
5 Councilmember Leventhal,
6 Cutting deals.

7
8 Council President Knapp,
9 At the same time. We will begin this morning with our invocation. We have Carrie
10 Yearick representing Rockville Presbyterian Church. Welcome, and if everyone would
11 please join and rise or rise and join.

12
13 Carrie Yearick,
14 Thank you for this opportunity to be among you. Let us pray. Gracious God, we give you
15 thanks for a new day and for the ability to gather together to seek innovative solutions to
16 the challenges and opportunities this County faces. We thank you for diversity of
17 thought, for our varied gifts and skills, for visionary leaders and helping hearts. Grant
18 those making decisions today the courage to make wise choices, the strength and
19 patience to endure when progress slows, and the boldness to carry out the best
20 practices that build up community spirit, relationship with one another, and healthy
21 businesses. For it is in your name we pray. Amen.

22
23 Council President Knapp,
24 Amen. Thank you very much. General Business, Ms. Lauer.

25
26 Linda Lauer,
27 We don't have any changes to the upcoming calendar. What we do have though were
28 some petitions received this week. One supporting demolition of the house on the
29 Hillmead property. One supporting the animal shelter's trap, neuter, return program for
30 outdoor cats. One supporting funds for the Long Branch Athletic Association. One for
31 full funding of the library's budget and supporting an addition for the Sherwood
32 Elementary School.

33
34 Council President Knapp,
35 Very good.

36
37 Linda Lauer,
38 That's it. Thank you.

39
40 Council President Knapp,
41 Thank you. Okay. And I would just make an announcement at this point, that tomorrow
42 and Thursday's budget sessions, full Council budget session will begin at 10:00 a.m. as
43 opposed to 9:30. May be the only applause I get today, we'll take that. We have
44 Approval of Minutes. Madam Clerk.



May 6, 2008

1
2 Council Clerk,
3 You have the Minutes of April 17th and 22nd for approval.

4
5 Council President Knapp,
6 Is there a motion?

7
8 Councilmember Andrews,
9 Move approval.

10
11 Councilmember Leventhal,
12 So moved.

13
14 Council President Knapp,
15 Moved by Council Vice-President Andrews, seconded by Councilmember Leventhal. All
16 in support of the Minutes of April 17th and 22nd, please indicate by raising your hand.
17 That is unanimous among those present. Thank you very much. We now turn to the
18 Consent Calendar. Is there a motion?

19
20 Councilmember Trachtenberg,
21 So moved.

22
23 Council President Knapp,
24 Moved by Councilmember Trachtenberg. Is there, seconded by Councilmember
25 Leventhal. Any discussion? I would like to make one note on item D which we have
26 scheduled for Action, which is a special appropriation to the FY08 Capital Budget for
27 \$12,742,000 for Ride On Bus Fleet. Given the size of that, and I am supportive of it, but
28 I think it is worthwhile for us to have that as a part of our conversation when we do the
29 transportation budget this afternoon. And so I would recommend that we move that to
30 this afternoon's discussion. So, that is my recommendation for that. Okay. Council Vice-
31 President Andrews.

32
33 Councilmember Andrews,
34 Thank you President Knapp. I just wanted to comment briefly on item C which is the
35 Receipt and Release of the Office of Legislative Oversight's Report, Understanding
36 Class Size Trends in Montgomery County Public Schools. They've done another
37 thorough report that I know that the Education Committee and the Council will get into in
38 detail sometime after the budget. But I just wanted to acknowledge that it is a very
39 thorough report that looks at an important focus of some of our funding initiatives in the
40 past few years. It will help us understand how it has been implemented and some of the
41 results. So, thank you.

42
43 Council President Knapp,



May 6, 2008

1 Another excellent report by Office of Legislative Oversight. Thank you all very much. We
2 appreciate it. Okay. I see no further discussion on the Consent Calendar. All in support
3 of the Consent Calendar, please indicate by raising your hand. That is unanimous
4 among those present. Thank you very much. We now turn to the Council sitting as the
5 Board of Health. We have no issues before us as the Board of Health at this time. The
6 Board will receive an update from the County Health Officer on June 17, 2008. Okay.
7 [multiple speakers]. General malaise doesn't, no.

8
9 Councilmember Trachtenberg,
10 Our mental health status.

11
12 Council President Knapp,
13 Okay. Turning to District Council Session. We have before us the introduction of Zoning
14 Text Amendment 08-10, Fenton Village Overlay Zone - Hotel Height, sponsored by
15 Councilmembers Ervin and Elrich. We have Action, Resolution to establish a public
16 hearing for June 17, 2008 at 1:30 p.m. Is there a motion to have a hearing?

17
18 Councilmember Berliner,
19 So moved.

20
21 Councilmember Elrich,
22 So moved.

23
24 Council President Knapp,
25 Moved by Councilmember Berliner, seconded by Councilmember Elrich. All in support
26 or any discussion on the motion? There is none. There is motion. There is.

27
28 Councilmember Elrich,
29 I just want to say quickly that I'm introducing this at the request of the neighborhood
30 association. Valerie and I have had a lot of contact with the neighborhood association.
31 They are a very active neighborhood group. We were introducing it on their behalf as
32 their effort to work out a resolution to what they perceive as a problem and a better
33 solution than what was on the table.

34
35 Council President Knapp,
36 Excellent, thank you very much.

37
38 Jeff Zyontz,
39 If I may Mr. Chair, just to correct something in the introduction. It said the west side of
40 Fenton. It really should have said the east side of Fenton so I wanted to make that
41 correction.

42
43 Council President Knapp,



May 6, 2008

1 Very good. Thank you very much for the clarification. We have before us a Resolution to
2 establish a public hearing. All in support of the Resolution please indicate by raising
3 your hand? That is unanimous. Thank you very much. We have Introduction of Zoning
4 Text Amendment 08-11 Residential Zones - Standards, sponsored by Councilmember
5 Berliner. We have before us Action and Resolution to establish a public hearing again
6 for June 17, 2008 at 7:30 p.m. Is there a motion?

7
8 Councilmember Trachtenberg,
9 So moved.

10
11 Councilmember Berliner,
12 So moved.

13
14 Council President Knapp,
15 Moved by Councilmember Trachtenberg, seconded by Councilmember Berliner.

16
17 Jeff Zyontz,
18 If I may for two seconds.

19
20 Council President Knapp,
21 Mr. Zyontz.

22
23 Jeff Zyontz,
24 There was a revision that Mr. Berliner will hand out to the Committee for two lines in
25 what was published and noticed. The Council has the right to introduce whatever it
26 wishes to introduce at this time. So it would be the revised Bill that would be going to
27 public hearing.

28
29 Council President Knapp,
30 Okay.

31
32 Jeff Zyontz,
33 Mr. Berliner will say what he wishes on that subject.

34
35 Council President Knapp,
36 Thank you very much Mr. Zyontz. Councilmember Berliner.

37
38 Councilmember Berliner,
39 Thank you Mr. Zyontz for that opportunity. The ZTA before my colleagues is the result
40 of the Infill Development Taskforce work and our work to achieve a slightly more
41 graceful transformation of our older communities. It is legislation that will result in
42 slightly smaller homes on small lots. It will also allow us to modify our established
43 building line issue, which has been very complicated and resulted in a lot of anomalies.
44 It will allow for a sloping lot issue, which has been very contentious. If you have a,



May 6, 2008

1 quote, sloping lot, it essentially allows an additional story. Yet the definition of a sloping
2 lot appears nowhere in our regulations. And so this ZTA requires that regulations be
3 published so that there can be public comment on it and there be a definition that
4 people know in advance and not be something that's arbitrary. This Bill, plus the
5 legislation that will be introduced next, which requires notice when you are doing tear
6 downs and adding new homes into a community so that the neighborhoods know about
7 it, the neighbors know about it, and it encourages neighborhood associations to develop
8 their own guidelines, voluntary guidelines, that then a builder would be required to
9 obtain. Not necessarily follow, but simply obtain so that they have an awareness of what
10 the neighborhood would love to see. So the package of these Bills is a result of, again,
11 the six months worth of work from the Infill Development Taskforce. There was
12 consensus on five of the six items that are before us and the one issue where we were
13 unable to reach a consensus was in fact defining how we would slightly reduce the size
14 of new homes. We were not able to achieve consensus. And so I put forth the figures
15 that are before us in this legislation that do result in a slightly smaller home. I look
16 forward to working with my colleagues with respect to this and look forward, grateful that
17 the Council President has permitted this to move forward, found time to move it forward
18 to where we'll have a public hearing, that I'm sure there'll be a great deal of testimony
19 with respect to it. And PHED Committee taking it up so that hopefully no later than by
20 early fall, we are in a position to enact what I believe will be comprehensive reform in an
21 area that has long needed a more comprehensive look.

22
23 Council President Knapp,
24 Thank you very much. Council Vice-President Andrews.

25
26 Councilmember Andrews,
27 Thank you President Knapp. I wanted to thank my colleague Councilmember Berliner
28 for the hard work in this area. I know that the Infill Taskforce worked very hard over the
29 period of six months or so to develop these recommendations. I think they have come
30 up with a good mix. I want to co-sponsor the ZTA and also the Bill 15-08 when we
31 introduce that. I think this will help achieve a better compatibility of development in our
32 areas where we are going to have increasing amounts of redevelopment and infill
33 development. We know this has been an issue already. This makes some important,
34 well-thought out changes to the zoning law. I believe it strikes the right balance. I thank
35 my colleague for taking the lead on this.

36
37 Council President Knapp,
38 Councilmember Elrich.

39
40 Councilmember Elrich,
41 I too would like to join Roger and Phil and be a co-sponsor on this Bill. I appreciate the
42 work that went into it. I understand the one issue that doesn't have consensus. I will, at
43 some point, probably, most likely be moving to amend the Bill toward a slightly lower
44 number. I think that we are not really talking about smaller houses. We are talking about



May 6, 2008

1 slightly less enormous houses. I don't want anybody to think that we are shrinking
2 anybody's house. What we're doing is preventing, you know, making things that are
3 absolutely totally enormous to be only moderately enormous. I still think there are, you
4 know, significant issues that are raised. But I think it's definitely a step in the right
5 direction. I will support it, in any number, and I will just, you know, be making the
6 argument that we ought to be going ultimately toward a slightly lower number. But I
7 appreciate your work.

8
9 Council President Knapp,
10 Great. Councilmember Trachtenberg.

11
12 Councilmember Trachtenberg,
13 I would ask that my name also be added as a co-sponsor. Again, I want to express my
14 gratitude to Councilmember Berliner for his work on this issue. Again, you know, I know
15 in the community where I've lived, close to 15-20 years, this is a very ripe issue. I think
16 the conversation has been overdue and action needs to be taken and needs to be taken
17 quickly to address what I would consider to be really a very high priority for this body
18 during the course of the next few years.

19
20 Council President Knapp,
21 Very good. So, without objection, we have Council Vice-President Andrews,
22 Councilmember Elrich, and Councilmember Trachtenberg added as co-sponsors to ZTA
23 08-11. Have we actually voted on the Resolution yet? I don't believe we did that.

24
25 Councilmember Berliner
26 No, we have not.

27
28 Council President Knapp,
29 Okay. We have before us the Resolution to establish a public hearing. It has already
30 been moved and seconded. All in support, please indicate by raising your hand. That is
31 unanimous. Thank you very much. And we turn to Legislative Session Day number 14.
32 Madam Clerk, is there a Journal to Approve?

33
34 Council Clerk,
35 You have the Journal of April 15th for Approval.

36
37 Council President Knapp,
38 Is there a motion?

39
40 Councilmember Trachtenberg,
41 So moved.

42
43 Council President Knapp,
44 Moved by Councilmember Trachtenberg.



May 6, 2008

Councilmember Ervin,
Second.

Council President Knapp,
Seconded by Councilmember Ervin. Any discussion on the Legislative Journal? Seeing none. All indicate your support by raising your hand. That is unanimous among those present. Thank you very much. We have the Introduction of one Bill, Bill 15-08, Building Permit - Notice, sponsored by Councilmember Berliner and public hearing is scheduled for June 17th at 7:30 p.m. as well. Councilmember Berliner.

Councilmember Berliner,
Again, my colleagues, this is the notice provision that I spoke of and let me thank the colleagues who have agreed to co-sponsor this Bill. I greatly appreciate your support at this moment in time.

Unidentified
Do we need a motion?

Councilmember Andrews,
Yeah, so we just need to. Yes, I wanted to be added to this.

Councilmember Trachtenberg,
Ditto.

Council President Knapp,
All right, Council Vice-President Andrews, Councilmember Elrich, and Councilmember Trachtenberg without objection will be added as co-sponsors to whatever, Bill 15-08, Building Permit – Notice. All right. That concludes the Legislative Session. We turn to our worksession of the FY09 Operating Budget. And our first item this morning is Montgomery College. I turn to the Chair of the Education Committee.

Councilmember Ervin,
Thank you very much. I would like to invite to the table, President Brian Johnson, President of Montgomery College and whoever else he wants to bring up to the dais. Please introduce yourselves for the record. Good morning. Good morning. Good morning President Johnson. Do you have some opening comments you would like to make?

Brian Johnson,
Good morning Councilmember Ervin. Yes, I do. I would like to first introduce the team that is represented here. Starting with our Board Chair, Ms. Bobbie Schulman. Board of Trustee member Mr. Gene Coonahan to my far left. And to my immediate left is Mr. Marshall Moore, Vice-President for Administrative and Fiscal Affairs. To my extreme



May 6, 2008

1 right is Ms. Donna Diamond from the Budget Department. To her left is Dr. Mary Kay
2 Shottle-Gollato. Good morning Mr. Knapp, members of the Council. We are grateful for
3 this opportunity to meet with you. The recommendations that the Education Committee
4 has put forth, if passed by the full Council, would enable us to sustain our service to the
5 residents of Montgomery County. The funding in the recommendation is clearly in the
6 College's best interest but I believe it is also in the County's best interest. In these
7 economically challenging times, Montgomery County residents need Montgomery
8 College more than ever before. Let me review, just for a minute, a few facts that attest
9 to our enormous impact on the County's economy. Here is the critical statistic. On
10 average, the students we prepare for the work force and the students we return to the
11 work force, more than double their income within three years. This provides a powerful
12 boost to the County's tax base. These people, former Montgomery College students,
13 buy homes. They support local businesses. They buy local products. They go to the AFI
14 and to the Strathmore. They dine at local restaurants. They work in our hospitals and
15 schools and our business incubators. They pay taxes. All of this explains why statistics
16 tell us that Montgomery College offers a 90% return on investment. Every dollar
17 invested in Montgomery College returns \$1.90 to our taxpayers. This is a remarkable
18 fact in one of our nation's most affluent Counties. We have scores of stories to tell. You
19 know many of them and we appreciate your diligence in supporting us. Members of the
20 Council, this is the kind of year wherein funding is extremely necessary for us. It is with
21 this in mind that we urge you to support the Education Committee's recommendations.
22 We urge you to add the \$9.2 million recommendation and the \$1.2 million supplement
23 submitted by the County Executive. I close my remarks by thanking each of you for your
24 leadership during this very tough time for the Council and for our County.

25
26 Councilmember Ervin,
27 Okay. Thank you very much. The Education Committee approved an Operating Budget
28 for Montgomery College of \$205 million which is a 3.9% increase or \$7.6 million. This is
29 a 3.9% increase from FY08, but doesn't address many of the College's needs. With
30 nearly \$1.2 million decrease in state aid and enrollment numbers increasing, the County
31 is having to step up to the plate to close this budget gap so that our students can
32 continue to get a quality education that is relatively affordable. Next year, the College
33 anticipates enrolling 6.4% more student credit hours than were included in the FY08
34 budget. This increase is on top of seven prior years of solid enrollment growth with the
35 number of students increased by nearly 3,000 and credit hours increasing by more than
36 40,000. In addition, student enrollment is changing to reflect the changing
37 demographics of our County. There is no majority race at the College. Asian, African
38 American, and Hispanic students now comprise at least 60% of its enrollment. Page two
39 of the packet provides a comparison of all the puts and takes associated with the FY09
40 College request, the Executive's recommendation, and the Education Committee's
41 recommendation. The Committee recommended \$10.7 million in reductions and put
42 \$9.1 million on the reconciliation list. Recognizing the County's current fiscal constraints,
43 we understand that some of these line items may not be funded. However, the Ed
44 Committee recognizes the importance of providing a top notch education that means



May 6, 2008

1 that we will do all that we can to support the College. So I would like to go through the
2 items that we placed on the reconciliation list, 115,400 addition for the insurance of the
3 state maintenance of effort. This amount of County aid must be funded for the College
4 to receive state aid of \$2.9 million. We want to restore that \$2.9 million so that we have
5 59 positions, we're adding 59 positions, taking 112 positions from the College would
6 impact its core mission and affect the quality and service level to students by reducing
7 funds for basic services. Existing programs would have to be reduced and quality
8 instruction would be compromised if this reduction is not restored. We also added an
9 additional, I just said that, but we added the \$2.9 million to restore those positions, \$1.5
10 million on the reconciliation list to restore funding to open the new Takoma Park Silver
11 Spring Cultural Arts Center. The College needs to open new facilities to meet the
12 demands of its growing enrollment. The construction of the Cultural Arts Center will be
13 complete in early FY09 and will have classroom space for theater, dance, and faculty
14 offices. This building is important to the College's educational programs as well as
15 downtown Silver Spring redevelopment. \$631,250,000 for staffing at Golden Rod and
16 added lease space. The Golden Rod building on the Germantown campus will open for
17 classes this fall. This building is needed to provide additional space on the campus and
18 will have classrooms, faculty office, information technology labs, as well as the Office of
19 Economic Development business incubator. To address capacity issues, the College
20 also acquired lease space to move non-instructional areas off campus to free up space
21 for the academic program. \$450,000 to add nine new faculty positions. These are cuts
22 to faculty from the Foundation and Instructional Program and teaching is their primary
23 occupation. \$180,000 to fund half of ride on fees. Transportation is one of the keys to
24 continued success for college students. The College must pay the County for free ride
25 on bus service. We want to keep this option free for the students. So we added
26 \$100,000 to restore the campus connector. Council President Mike Knapp and
27 Councilmember Andrews agreed with placing these items on the reconciliation list but
28 Councilmember Andrews also recommended that the College reduce – by 2% which
29 would generate \$2.5 million in savings. I will ask Council staff if there is anything that I
30 missed or anything you would like to add. That is the Committee's recommendation.

31 Councilmember Andrews,

32 Thank you Madam Chair for the good work. I just have a question about a total here. I
33 think the amount that was at the bottom of page two that is listed as what the Executive
34 proposed is off.

35 Councilmember Ervin,
36 Hold on.

37 Councilmember Andrews,

38 Maybe Mr. Sherer can look at that too. Where the FY09 Executive, the total is listed as
39 250,853. That seems high from what was actually. I thought the Executive proposed
40 less than that. The College requested 260.



May 6, 2008

1 Charles Sherer,

2 The Executive's reduction was almost entirely within the current fund. There was a
3 slight reduction to the cable fund. The Executive's reduction was \$9.5 million. Then
4 there was that loss of state aid of almost \$1.2 million. So that is where the \$10.7 million
5 reduction came from. I believe those numbers are correct. I can review them after the
6 meeting. The Executive's budget was about the same as the Council's fall allocation.
7 The reduction that the Council required was the same as the Executive required, as I
8 say, because the Executive's budget was the same as the Council's fall allocation. Both
9 required a reduction of \$9.5 million to the expenditures.

10
11 Councilmember Andrews,

12 Okay. Well the 2, all right, so the 249,669 that is under the Education Committee
13 number does not reflect what the Education Committee is recommending for the
14 reconciliation list?

15
16 Charles Sherer,

17 That is right. The reconciliation list would add to that.

18
19 Councilmember Andrews,

20 Yes.

21
22 Charles Sherer,

23 If you, whatever you approve would add to that 249,669.

24
25 Councilmember Andrews,

26 Okay.

27
28 Charles Sherer,

29 The Education Committee recommendation is after taking the \$10.7 million in
30 reductions.

31
32 Councilmember Andrews,

33 Okay. All right. That is fine. Thank you.

34
35 Councilmember Ervin,

36 Are there any questions or comments?

37
38 Council President Knapp,

39 I just wanted to, my only comment was to thank the College for working through this
40 with us. It has been a challenging year, without a doubt. I think everyone here on this
41 side of the dais recognizes and appreciates the role that the College plays in many,
42 many facets of our community, especially many that we don't, many of us don't see all
43 the time. We all understand the students who graduate from high school and go to take
44 the courses there, but efforts that are undertaken by our, with our employers to do on



May 6, 2008

1 the job training for employees, to do licensure, certifications, all of those types of things
2 as well. And so I know the role that you play. It is vital to the economy of our community.
3 We will be working over the course of the next couple weeks to try and recognize that
4 from a funding perspective as well.

5
6 Councilmember Ervin,
7 Councilmember Elrich.

8
9 Councilmember Elrich,
10 Yeah, I was wondering whether we could get information on the number of College
11 employees who make more than \$100,000 a year and the increases that are proposed
12 for them in this budget, just to let my colleagues know, I mean, one of the things that I'm
13 looking for is eliminating increases of people making in excess of \$100,000 a year to a
14 number less than 7%. Something like 4%. Not just applying it to this agency, but to all
15 agencies of County government.

16
17 Brian Johnson,
18 We will be happy to get that information to you, Councilmember.

19
20 Councilmember Ervin,
21 Okay. Councilmember Berliner.

22
23 Councilmember Berliner,
24 Dr. Johnson, there are going to be a number of us fighting for as many dollars as we
25 can on the reconciliation list on your behalf. Do you want to give voice to the
26 Committee's \$7.6 million and how much of that, is that your bottom line in terms of what
27 you believe you absolutely need and if we went below that number, the consequences
28 for your College.

29
30 Brian Johnson,
31 Thank you.

32
33 Councilmember Berliner,
34 Our College.

35
36 Brian Johnson,
37 Our College, I appreciate that. Our absolute bottom line number would be at about \$8.5
38 million. We looked at the budget and reduced and cut and reduced and cut and came
39 up with the \$9 million mark. We appreciate all that you are doing. We know it is a
40 painstaking process.

41
42 Councilmember Berliner,
43 Thank you.



May 6, 2008

1 Council President Knapp,
2 Councilmember Leventhal.

3
4 Councilmember Leventhal,
5 Well, it's, this is sort of the obligatory moment where we heap praise on the College and
6 I wish we could do it under better circumstances, but, Dr. Johnson, it's your first time to
7 go through this process, this entire process with us, so I want to echo what the Council
8 President said, although we wish we could do more. I know the entire Council
9 recognizes the criticality of the service Montgomery College provides for our work force,
10 for young people, and older people, and for lifelong learning for opening the doors of
11 opportunity. In my household, we've seen the benefits directly. My wife got her first two
12 years of her undergraduate education at Montgomery College. I learned how to ride a
13 motorcycle at Montgomery College.

14
15 Councilmember Berliner,
16 You can do that? You can get a motorcycle permit there?

17
18 Councilmember Leventhal,
19 So we're very, very grateful in the Leventhal household and I know the whole Council
20 appreciates the role that the College plays. I'm interested, you know, great minds run
21 alike from time-to-time, I, too, had asked Steve Farber to get cost estimates on changes
22 to colas and compensation for employees earning \$100,000 or more. It does seem to
23 me that if we're going to look at addressing employee compensation in County
24 government, and also in the agencies that we fund, we ought to make sure that those
25 who are making sacrifices are those who are in a better position to make the sacrifices.
26 So I appreciate that Mr. Elrich's thoughts are running in that direction. Mine have as well
27 and I've been in communication with the Council President about that. You know,
28 obviously, there is many options on the table. We don't question that those who are
29 highly compensated are highly compensated for a reason. And the responsibilities that
30 you and your senior team face are very significant, particularly in a tight budget. The
31 burdens on all of you and your administrators are even greater. But it may be that that is
32 one of the options the Council will need to look at.

33
34 Council President Knapp,
35 No more comments.

36
37 Councilmember Ervin,
38 No more comments. I want to also echo my thanks to you, Dr. Johnson and your entire
39 staff, and I have a vested interest, not only from a Councilmember perspective, but also
40 as a mom. I have a 20-year-old son at Montgomery College. You all do a fabulous job
41 there. He is very happy to be there. So anything that we can do to further your mission,
42 which is an awesome mission. If anybody's never visited one of the campuses, I really
43 suggest that you go and see what wonderful work is occurring at that, at all three of your
44 campuses. We are really lucky that we have a community college ranked in the top 10



May 6, 2008

1 in the nation. So I think we should do all that we can to ensure that we stay in that
2 position. Thank you all for all your hard work.

3
4 Brian Johnson,
5 Thank you.

6
7 Council President Knapp,
8 Thank you very much. We now turn to our discussion on the Library budget.

9
10 Councilmember Floreen,
11 Mr. President.

12
13 Council President Knapp,
14 Oh, sorry.

15
16 Councilmember Leventhal,
17 Just one moment, Mr. President.

18
19 Council President Knapp,
20 Before we do that, I will turn to Councilmember Floreen for a point of personal privilege.

21
22 Councilmember Floreen,
23 Yes, if I could be added to the affirmative vote for the Consent Calendar and those I
24 missed prior to this time I had another obligation.

25
26 Council President Knapp,
27 Very good.

28
29 Councilmember Floreen,
30 Thank you.

31
32 Council President Knapp,
33 Thank you very much. Without objection.

34
35 Councilmember Leventhal,
36 Okay. The Health and Human Services Committee is forwarding to the full Council
37 recommendations that track very closely with the County Executive's recommendations.
38 We appreciate the leadership of Parker Hamilton and her team in providing excellent
39 service within a constrained budget. The Library budget, as you can see on page two
40 has had, actually even going back before FY07, there had been some dips and valleys
41 and a slow increase in enabling the Library Department to recoup some significant cuts
42 earlier in this decade. We are trying to get back on track with staffing and collections
43 and materials. And I think this budget does a reasonable job of maintaining a high level
44 of service. We had discussion, we appreciated the feedback of the employer



May 6, 2008

1 organization. The suggestion was made that we might scale back some weekend hours.
2 The Committee decided not to do that this year. We hear from the public great support
3 for expanding hours. We don't generally hear support for cutting hours back. So
4 basically, this is a budget that closely resembles the budget that we had in FY08. We
5 are talking about a total of \$40.3 million. Which is just slightly below the FY09, actually it
6 is \$40.405, I guess that includes some grant funding, which is just slightly below the
7 \$40.467,000 that had been approved in the fiscal year we are currently in. We are
8 providing \$8,901,740 for collection management, \$27,725,110 for library services to the
9 public, \$3,782,880 for administration, outreach, and support services. The decreases
10 are really, the decreases are spread throughout and we can go over those as we go
11 through the specific programs. In service reductions, the Department was able to
12 eliminate unfilled positions. There are four positions here that the Department and the
13 Committee agree could be eliminated without harming services to the public. On
14 materials, we are keeping materials basically constant, although there is going to be a
15 reduction in the databases that are available to library users of \$200,000. Shelving
16 assistance, this is one where we had some discussion in Committee. We are actually
17 going to downgrade somewhat the staff that does the shelving work. The library aide
18 positions are more highly compensated. We believe that the work can be adequately
19 performed by library pages and by converting five library aides to library pages, the
20 Department is able to find a savings of \$75,950 and the Committee agreed that this
21 could be done without harming service to the public. There is \$120,180 substitute
22 budget reduction. Again, these are just sort of shifting around in prioritizing staffing
23 arrangements that should not harm service to the public in any way. We took some
24 lapse in turnover savings, total of \$1,160,000 in turnover and what did we do about
25 lapse?

26
27 Essie McGuire,

28 You concurred with the Executive, the Executive's recommendation for lapse on both of
29 those.

30
31 Councilmember Leventhal,

32 Went along with the Executive's recommendation on lapse, no changes. There were
33 suggestions, as I mentioned from MCGEO and we appreciate input from employee
34 organizations and the public and anywhere we can get it on how to identify savings in
35 the budget. MCGEO provided us with a very thoughtful and detailed memo. But the
36 Committee felt that the suggestions MCGEO made with respect to cutting back hours
37 on Sunday and implementing certain fees were probably not in the public interest at this
38 time. We have in the past cut back library hours when our budget situation was very,
39 very dire. Perhaps in future we'll have to go there. Let's hope the economy improves
40 and that we don't have to go there. We decided not to go there this year. With respect to
41 implementing a \$1 hold fee and also charging shipping costs, there was a real concern
42 that the, first of all, the Committee doesn't have it in its power to impose those fees.
43 Those would have to come from the Executive Branch. But secondarily, there was a
44 concern that when fees and charges are so small, the cost of imposing the fees and



May 6, 2008

1 charges in terms of staff time and record keeping may actually exceed the benefit of
2 collecting the fee and the Committee felt that, although it was appreciative of the
3 suggestion, it probably was not something we wanted to recommend to the Executive
4 Branch. On deferred maintenance. Some progress is being made, but the list of projects
5 still outpaces the money we have available. Councilmember Floreen had an initiative,
6 either last year or the year before, to add money for some of these facilities issues in
7 the libraries and progress is being make. Perhaps if Councilmember Floreen would like
8 an update on that, we could get that.

9
10 Councilmember Floreen,
11 Yes.

12
13 Council President Knapp,
14 She agrees.

15
16 Parker Hamilton,
17 Good morning. I wanted to thank Ms. Floreen for her work and support of this initiative.
18 The Council did put forward \$540,000 in order to do deep cleaning of such things as
19 carpets, painting, grounds maintenance, and we developed a program where we have a
20 roving porter kind of process where this person goes to a branch and work there for
21 about a week and do cleaning that the normal cleaning folks cannot do. It has made a
22 difference. It is not at the level that our residents would like or our staff would like, but
23 without the leadership of Ms. Floreen, we would not have made any progress at all, so
24 there has been progress. Thank you.

25
26 Councilmember Leventhal,
27 And with respect to the special needs library, let's get a brief update, Parker, on how the
28 relocation of the special needs library to Rockville is going.

29
30 Parker Hamilton,
31 It is not perfect. We continue to have our community talk to us about issues that they
32 would like for us to address. Our staff continue to identify issues that we need to
33 address. But we are making progress. Some of the progress we have made, we have
34 worked with the City of Rockville in order to deal with the pavers in the town square.
35 That has made a difference. We are working on signage. We continue to train staff in
36 how to work with people with disabilities so that when a person comes in, he or she
37 would not have to ask for a specific individual. Anyone at that desk should be able to
38 provide outstanding customer service. And with any service, we do have some folks
39 who are more highly trained and then, so, if the need arises, we try and get answers
40 that way. We are also working with the state and we have had a consultant, Joe Lewis,
41 who lives in Montgomery County, but who works for the library for the blind and
42 physically handicapped come in and serves as a consultant to give us pointers in terms
43 of how we can better serve that population. We hope to get a grant funded position to



May 6, 2008

1 help us answer the telephone calls so that we can answer them in a more efficient and
2 faster manner. So we continue to work on it.

3
4 Councilmember Leventhal,
5 And with respect to mobile services, I don't know if Mr. Berliner wanted to engage in a
6 colloquy with the Director on this. There is great interest in having mobile library
7 services, but the size of the van and the amount of staffing available has limited our
8 ability to expand mobile services to as many populations as we like. Mr. Berliner
9 expressed particular interest in service to Friendship Heights. Perhaps in future, we will
10 be able to get there, but we weren't able to accommodate that this year.

11
12 Unidentified
13 Mr. Chairman, I appreciate.

14
15 Councilmember Leventhal,
16 Okay, and then good news for the Council President's District. We are going to replace
17 the columns in front of Damascus Library during the first quarter of the fiscal '09. We
18 had heard some concerns from the Damascus community about that.

19
20 Council President Knapp,
21 Yes we did.

22
23 Councilmember Leventhal,
24 The columns had, they were in disrepair. They had to be removed. Now the library looks
25 like my 9-year-old, when one of his teeth fall out. There is gaps in front of the Library.
26 It's not slightly, but fortunately, DPWT and the Library have found, I think it was about
27 \$25,000 they need to fix it. And so we are going to get that fixed. Thank you very much
28 Parker, for your responsiveness on that. With respect to the Literacy Council, Essie, is
29 there anything we need to discuss there?

30
31 Essie McGuire,
32 No, they have apparently reduced their waiting list and are working on a new initiative
33 with grant funding. Is there anything else?

34
35 Councilmember Leventhal,
36 Okay.

37
38 Council President Knapp,
39 I have just one question.

40
41 Councilmember Leventhal,
42 Yeah, let me just say with respect to questions, where I sit, I can't see lights.

43
44 Council President Knapp,



May 6, 2008

1 Right.

2
3 Councilmember Leventhal,

4 So, Mr. President, if you will, at this point take over if there are questions. I have
5 concluded everything I have to say about this part of the Library Operating Budget. If
6 Councilmembers have questions, I'm going to ask the Council President to Chair.

7
8 Council President Knapp,

9 Thank you very much. Councilmember Elrich, go ahead.

10
11 Councilmember Elrich,

12 I just was wondering how the Literacy Council fits with the McHale effort, if I'm
13 pronouncing that right, toward Esol classes in general.

14
15 Parker Hamilton,

16 I'm going to let Eric explain that. I believe the Council made a decision to have Esol
17 programs, literacy programs to go under MCAEL. And the Literacy Council sits on that
18 Board. But beyond the mission that they all share, I'm not sure of the structure involving.

19
20 Councilmember Elrich,

21 But it is one integrated, jointly planned, coordinated effort?

22
23 Parker Hamilton,

24 I don't know. We can find out for you for sure. I don't know the answer and I don't want
25 to mislead you. I know they are part of the effort and in how that structured organization
26 works, I'm not sure.

27
28 Council President Knapp,

29 If I understand it, I think the Literacy Council, a portion of what they do falls under the
30 MCAEL adult literacy program. And then I think they have some other programs that fall
31 outside of that. Those that fall within the MCAEL efforts will be captured there and those
32 that don't won't be, as I understand it. But we can get some more details. But that's, in
33 the conversations that I have had, I know their, at least a portion of their funds come
34 from that, into that coordination.

35
36 Councilmember Elrich,

37 It just goes to maybe, we've had a number of discussions about where things fit and
38 how well coordinated they are and so I'd just like to know how this fits and how well
39 coordinated it is.

40
41 Parker Hamilton,

42 We will get an answer for you.

43
44 Councilmember Elrich,



May 6, 2008

1 Yeah, not a budget question at this moment.

2
3 Council President Knapp,
4 Council Vice-President Andrews.

5
6 Councilmember Andrews,
7 Thank you President Knapp and thank you, Chairman Leventhal for the report. I wanted
8 to ask about water. How is the transition going with the special needs library that is now
9 at Rockville? What other programs are you looking at providing in addition to the work
10 that's under way?

11
12 Parker Hamilton,
13 Okay. We are in the process of opening the lab. And so there is a lab at the Davis
14 location. So that lab is being implemented and we hope to have that open, I think, the
15 middle of June. We are looking at that. In addition to that, we have been able to do a
16 number of programs for the community that we never did at the special needs library.
17 Susan Kohn, who's a librarian there, has does a lot of programs for the deaf community.
18 So that is happening. In addition to that, there is a lot of equipment that was funded last
19 year. We are in the process of making those equipments live, to bring out to the
20 community so that they can use them on a regular basis.

21
22 Councilmember Andrews,
23 Okay. Good. I'm glad to hear it is going well. That was an important part of the plan for
24 the new larger library. What are the other County wide functions that the Rockville
25 Library has?

26
27 Parker Hamilton,
28 We have housed in the Rockville Library, our ask a librarian services, so that is the first
29 point of contact for any resident using a telephone to reach the Montgomery County
30 public library systems. So they do it via telephone and also we are part of a statewide
31 effort where we answer questions via live chat and ask a librarian service provides that
32 for us. Rockville really serves in a lot of ways as a pilot for us to try out new programs
33 and services. So being the second floor down from administration has pluses and
34 negatives, so whenever we're looking for a library to pilot a new effort, we often go to
35 the Rockville staff in order to do that. We also have the children's resource center
36 located there. We also have the business resource center located there. Those are the
37 system wide resources we have.

38
39 Councilmember Andrews,
40 Okay. So, it really is serving County wide.

41
42 Parker Hamilton,
43 Yes.



May 6, 2008

1 Councilmember Andrews,
2 Functions for those. Okay. All right. And we are scheduled to take up the issue of free
3 parking later in the day.

4
5 Essie McGuire,
6 This afternoon.

7
8 Councilmember Andrews,
9 So, I did not know if people realized that it's not actually part of the library discussion.
10 So some folks out there may not realize we're taking it up at the end of the day as part
11 of the Department of Public Works and Transportation schedule.

12
13 Councilmember Leventhal,
14 Great. I want to thank the Council Vice-President for raising that point. We will have a
15 discussion. The T&E Committee did recommend a change in the policy on free library
16 parking. That will come under the Parking Lot District's budget which will be taken up
17 later this afternoon. It would actually be very helpful, Parker, I'm sorry to impose on your
18 schedule today, because I know you have a lot of responsibilities, but if you could have
19 somebody monitor the Council's dialogue and then when the Parking Lot District
20 discussion does come up, it would be very helpful to have library personnel, yourself if
21 you're available, or other senior staff because there may be questions about interaction
22 with parking. I did have one other question in the Operating Budget, I said I didn't, but I
23 do. Yesterday, during our discussion on Positive Youth Development, the Police
24 Department asked us for \$50,000 in overtime related to disruptive behavior in libraries.
25 And I had heard from you offline that we were no longer detailing uniformed officers to
26 the Long Branch Library which had been the branch where the problems had primarily
27 occurred and that we thought things were looking up there. Can you give us your
28 thoughts on why we now need to budget \$50,000 again in police officer overtime for that
29 problem?

30
31 Parker Hamilton,
32 When you made the decision to do it last year, we did have what we called hot
33 branches. Long Branch was the hottest branch and Germantown was hot at that time.
34 And so the majority of the money did go to Long Branch. As a result of that effort and
35 along with training, we no longer have a police presence at Long Branch. We had short-
36 term at Germantown. We no longer have the Germantown. We do have a police
37 presence on an irregular basis at the Furley Library. I have not had a discussion with
38 the Chief but, I would say based on where we are currently, we probably would need
39 some money in case. I'm not sure that \$50,000 is the appropriate amount based on
40 what we spent this past year.

41
42 Councilmember Leventhal,
43 I see. Okay. But, my impression had been when you and I spoke, again, offline that the
44 situation was improving, is that still accurate?



May 6, 2008

1
2 Parker Hamilton,
3 Oh absolutely.
4
5 Councilmember Leventhal,
6 Great.
7
8 Parker Hamilton,
9 It has improved greatly and having the police presence made the difference. So I think
10 in terms of looking at prevention, we don't want to get into a position of having a library
11 become hot again and not having the funds in order to have police presence.
12
13 Councilmember Leventhal,
14 Great.
15
16 Parker Hamilton,
17 So I don't know what the exact amount is, but I do believe there is a need to have some
18 funds allocated so that we can act if we need to.
19
20 Councilmember Leventhal,
21 Thank you. Thank you for clarifying that.
22
23 Council President Knapp,
24 Councilmember Elrich.
25
26 Councilmember Elrich,
27 Do you still have youth there who should be in school during the school day?
28
29 Parker Hamilton,
30 Not that I know of.
31
32 Councilmember Elrich,
33 Do we ask, I mean, is somebody, is there a rule of thumb where if somebody looks like
34 they're under 16, that you would say, pardon me, how old are you and what school do
35 you belong in?
36
37 Parker Hamilton,
38 No, there isn't a rule of thumb Mr. Elrich. We do not do that. One of the reasons we
39 don't do it is because we have so many home schoolers who use our libraries. They do
40 come into the library during what we consider normal school hours. We have a number
41 of private schools that their school schedule may not match with the public schools.
42
43 Councilmember Elrich,



May 6, 2008

1 Do 11 and 12 year olds come into the library from home school walk their by
2 themselves or take buses there by themselves or do they come in with parents?

3
4 Parker Hamilton,
5 It's a combination.

6
7 Councilmember Elrich,
8 Really? So, there's no effort to find out whether a kid belongs in school?

9
10 Parker Hamilton,
11 Currently we do not go up to a child who has been in there one day. Now we have had
12 recently, at the Rockville Library, there was a child who had been in the library for about
13 three days. That was out of the ordinary so we did approach that child and made the
14 connections with the school and everything. But if a child is in there for one day, the
15 reality is that we are busy and probably don't notice the child. But on this particular
16 case, the child was in there for more than one day. The staff did notice and we did make
17 the appropriate contacts. But as a normal day-to-day thing, no, we don't.

18
19 Councilmember Elrich,
20 Okay.

21
22 Council President Knapp,
23 I just had one question as it relates to the Germantown Library. We now have
24 completed our first full year of operation. And so what are we seeing there as it relates
25 to numbers that we'd anticipated, staffing levels, all of those types of things relative to
26 what we had anticipated?

27
28 Parker Hamilton,
29 Oh my gosh, Germantown is off the charts.

30
31 Council President Knapp,
32 I know.

33
34 Parker Hamilton,
35 It is our highest circulating library. The customers have just made wonderful use of
36 resources. We have done some internal shifting of staff to that branch in order to
37 address that. We are in the process of working on a workload study internally within the
38 Library Department. Once that study is done, it will give us additional information and
39 based on what we are currently seeing, we may have to do some shifting.

40
41 Council President Knapp,
42 How many patrons do we have or how many, what is the circulation for that library? Do
43 you know?
44



May 6, 2008

1 Parker Hamilton,
2 I do not know. What is it? About 850,000 a year.

3
4 Council President Knapp,
5 Wow.

6
7 Parker Hamilton,
8 Circulation. I think it went up about 125%. About 30% circulation, it's really, the first day,
9 there was a longstanding library circulation record that was held by the Gaithersburg
10 Library, the first day they shattered it and they continue to shatter it.

11
12 Council President Knapp,
13 Great. I guess we have got to get that Gaithersburg Library done.

14
15 Councilmember Andrews,
16 That's right.

17
18 Council President Knapp,
19 Okay. Good. Thank you and thank you for looking and keeping track of kind of what the
20 pieces are. I mean, I have not been in there when it hasn't been just packed. So it's
21 certainly highly utilized so I'm glad we got it open and thank you for monitoring how it is
22 going. I see no further comments on Libraries. Now we have, supposed to turn to Silver
23 Spring Library. I know that we are waiting for some, I have a note coming down this
24 way.

25
26 Councilmember Leventhal,
27 A note.

28
29 Council President Knapp,
30 Okay. So do we want to wait?

31
32 Councilmember Leventhal,
33 So I think it would be a good thing to take up Fleet.

34
35 Council President Knapp,
36 Okay.

37
38 Councilmember Leventhal,
39 Yeah.

40
41 Council President Knapp,
42 That's fine. We are waiting for some folks to join us for the Silver Spring Library
43 discussion, so if we can, the Fleet discussion should not be too long, so, let's just flip
44 flop those real quick and we'll do that.



May 6, 2008

1
2 Councilmember Leventhal,
3 We're going to need you to stick around, Parker, we're imposing on you.

4
5 Council President Knapp,
6 Don't run away anybody.

7
8 Councilmember Leventhal,
9 Yeah.

10
11 Council President Knapp,
12 Hopefully, I apologize for any scheduling issues. We will now turn to Chair Floreen of
13 the Transportation Infrastructure Energy and Environment Committee for the General
14 Services Fleet Management and Motor Pool Fund Contribution NDA.

15
16 Councilmember Floreen,
17 Thank you very kindly Mr. President. There is not a whole lot to be said about this
18 operation. There are increases in the budget. One of the biggest ticket items is follow
19 through on something the Council initiated some time ago, which was takeover the
20 small bus service. And that is the \$2.4 million price tag at the top of the list on page two.
21 Overall, the Committee recommends the County Executive's expenditures, which is an
22 increase of 13% from the approved budget. Basically, what's happened here, as you will
23 recall with the reorganization, Fleet Management is being transferred from Public Works
24 and Transportation to the Department of General Services and the Transportation
25 Infrastructure Energy and Environment Committee will keep a close eye on this since
26 we're keeping a close eye on this anyways with respect to its energy efficiency focus
27 and all that we were comfortable with the resolution in the reorganization. It is about
28 cars and trucks, transportation devices, the best that can be said is the Department is
29 looking at reducing some costs by increasing its preventative maintenance intervals by,
30 and that saves us \$420,000. We have got a variety of contracts for the maintenance of
31 our operations that are inescapable, pretty much. There is some modest improvements
32 in our costs for parts and supplies. The big if, question mark out there will be the fuel
33 adjustment number, which, we suspect, all believe, is way low. But that is what the
34 budget is and we will see, no doubt that will come back to haunt us. We will, of course,
35 take that up at a later date should things go really bad. There is an account here for the
36 acquisition of new additional motor pool vehicles as opposed to replacement vehicles
37 that are financed through the chargeback system between the different Departments.
38 This is something that we will look to, I think, MFP Committee on with respect to the
39 additional vehicles that are either under negotiation or under the purview of the Public
40 Safety Commission, Committee. Those issues are still out there unresolved. Millie, did
41 you want to, I should have asked, did you or Mr. Holmes, was there anything you want
42 to say about the budget here? [inaudible]. You can press your button there.

43
44 Council President Knapp,



May 6, 2008

1 Thank you.

2
3 Arthur Holmes, Jr.,

4 I don't have any additional comments. Millie has been very astute in trying to reduce
5 costs in terms of such things as repair parts. And her availability waits are extremely
6 high, in the 98% availability of the vehicles that she maintains.

7
8 Council President Knapp,

9 Ms. John, is there anything we need to focus the Council's attention on besides these
10 points?

11
12 Susan John,

13 It just came to my attention that there's a typo on page 5 that I wanted to bring the
14 Council's attention to so that there wouldn't be any confusion. Under item B for the
15 service lane contract, that text is actually describing the truck and bus lifts instead of the
16 service lane contract. And the service lane contract would actually be about \$47,000.
17 And that is to add the small bus service at Kensington.

18
19 Councilmember Floreen,

20 So this whole section is incorrect?

21
22 Susan John,

23 The text is correct as far as dealing with the truck and bus lifts, but the line item is
24 mischaracterized.

25
26 Millie Souders,

27 Can I clarify that?

28
29 Councilmember Floreen,

30 Yes.

31
32 Millie Souders,

33 If you look at our crosswalk on this too, it is correct on this, too. And if you look at circle
34 4 at the top of the page, it says enhanced truck bus lift for EMOC and BMF, 47,450.
35 That are the lifts, their master lease and that's the first payment. A little farther down, it
36 has the increased cost for the service lane contract. That's because the contract went
37 out for bid and it is additional costs of \$400,000. So while the header on page 5 is
38 correct, the narrative underneath of it is not because it is describing a bus lift and it
39 really is the increased cost of the service lane.

40
41 Councilmember Floreen,

42 Well, I'm not sure if that has totally clarified the situation. The fact of the matter is, it's a
43 cost to operate our fleet.



May 6, 2008

1 Millie Souders,
2 It is.

3
4 Councilmember Floreen,
5 I will just say that ordinarily, Mr. President, we would have recommended this for the
6 reconciliation list, I mean for the Consent Calendar. Because it is a transfer and a new
7 operation.

8
9 Council President Knapp,
10 Right.

11
12 Councilmember Floreen,
13 And a new division, we thought we would just take it up separately.

14
15 Council President Knapp,
16 Okay. Thank you.

17
18 Councilmember Floreen,
19 That is the Committee's recommendation.

20
21 Council President Knapp,
22 Councilmember Leventhal.

23
24 Councilmember Floreen,
25 No big debates here.

26
27 Council President Knapp,
28 Okay.

29
30 Councilmember Leventhal,
31 I just wanted to say, this is a big operation. The Committee has imposed a lot on the
32 Department. We have had high expectations for data and information. We have a lot of
33 interest for obvious reasons, in emissions reductions and the latest technologies and I
34 just really wanted to thank Millie and especially General Holmes for administering these
35 responsibilities so capably and professionally and being so responsive to the
36 Committee. I think Fleet Management has been a well managed function for a long
37 time. I just want to thank DPWT for the good work it has done maintaining this function
38 and we understand the function is moving but I just wanted to make those comments
39 and thank the Department for its management and especially its responsiveness to the
40 Committee.

41
42 Councilmember Floreen,
43 Well spoken Mr. Leventhal. We have taken them through some hoops and you will see
44 that when we talk about the Transportation budget later. So they've been terrific.



May 6, 2008

1
2 Council President Knapp,
3 Got one set of questions, but thank you. On page 8, it talks about the police vehicles
4 and the addition of those 35 associated with the FOP contract and an additional 20.
5 Could you, irrespective of the broader policy, the conversation we're going to have on
6 other things, if you had to fill those elements of the contract, when do you typically do
7 the fleet purchases for police vehicles and what's the kind of time it takes to do the,
8 whatever needs to get done to actually get them ready for somebody to avail
9 themselves of them?

10
11 Millie Souders,
12 I'm going to let Tammy speak to that.

13
14 Council President Knapp,
15 Okay.

16
17 Tammy Mulford,
18 The timeframe is about three months from the time the vehicle is ordered until we
19 actually receive it. And then of course it has to go through the preparation at Seven
20 Locks and various things, but usually it is the ordering cycle, manufacturers ordering
21 cycle, usually in the fall is when we'll start ordering. Early spring is when the cutoffs are
22 for the model year.

23
24 Council President Knapp,
25 Okay.

26
27 Tammy Mulford,
28 So, usually March is when the cutoff will be for the model year so usually we'll have to
29 have all the ordering done by then.

30
31 Council President Knapp,
32 All the ordering in by then, so if you got March?

33
34 Tammy Mulford,
35 If it got ordered late in the fiscal year, let's say March, the vehicles probably would not
36 be in stock on the road until summer or, you know, late summer, maybe the following
37 fiscal year.

38
39 Council President Knapp,
40 And if you missed that cycle, if you got outside that, then when?

41
42 Tammy Mulford,
43 You would have to wait until the next ordering cycle started. Our budget doesn't
44 necessarily follow the same as.



May 6, 2008

1
2 Council President Knapp,
3 Right.

4
5 Tammy Mulford,
6 Car manufacturers, you know, do. Basically, if we can order in, start ordering in July or
7 August, you know, we will start getting them in the late fall.

8
9 Council President Knapp,
10 Okay. So if we.

11
12 Tammy Mulford,
13 And so forth, but if you wait.

14
15 Council President Knapp,
16 So, we could start ordering as early as summertime for fall delivery.

17
18 Tammy Mulford,
19 Yeah, as soon as July 1 hits, we would try to immediately start ordering.

20
21 Council President Knapp,
22 Okay.

23
24 Millie Souders,
25 Could I clarify something too?

26
27 Council President Knapp,
28 Sure.

29
30 Millie Souders,
31 Even though we buy the majority of our vehicles from the contract on this, we also have
32 the ability to purchase things off the lot and that is in order to meet the County needs.
33 So we actually can use that any time of the year as long as they have something on the
34 lot that we are interested in.

35
36 Council President Knapp,
37 I'm just interested, obviously, in a difficult fiscal year when you schedule things and how
38 you schedule things and what you're scheduling makes a big difference so I just wanted
39 to have some understanding as to the calendar of that ordering time.

40
41 Councilmember Floreen,
42 Yeah, so we had, we will talk a little bit more about that when we talk about the bus
43 acquisition.



May 6, 2008

1 Council President Knapp,
2 Okay. Great.

3
4 Councilmember Floreen,
5 We actually went into that in some detail in Committee.

6
7 Council President Knapp,
8 Thank you very much. Okay.

9
10 Councilmember Floreen,
11 Okay.

12
13 Council President Knapp,
14 Thank you.

15
16 Councilmember Leventhal,
17 The Chairman of the Planning Board told me that he would be present for our
18 discussion by 11:00. Which is when I estimated that we would get to the Silver Spring
19 Library CIP item. Okay.

20
21 Council President Knapp,
22 We can do that. Shall we take just a five-minute break? We'll come back.

23
24 Councilmember Leventhal,
25 Five minute recess.

26
27 Councilmember Floreen,
28 Sure.

29
30 Council President Knapp,
31 And we'll reconvene, a five-minute recess, we'll reconvene at 11:00.

32
33 Councilmember Floreen,
34 When Mr. Hanson arrives.

35
36 Council President Knapp,
37 All right. The Council is back. We have, we are now turning to follow-up to the FY09-14
38 CIP for Public Libraries for Silver Spring Library. I will turn to the Chair of the
39 Committee. We have also received a memo from the County Executive this morning.
40 Mr. Chairman, I don't know.

41
42 Councilmember Leventhal,
43 Yes.



May 6, 2008

1 Council President Knapp,
2 All the pieces of this one, but take it away.

3
4 Councilmember Leventhal,
5 Okay, Mr. President, thank you very much. Well, thank you very much to Chairman
6 Hanson and Mr. Stanley for coming all the way up here from Silver Spring on short
7 notice. Perhaps we will have an easy time of this discussion. We had a lot, we have
8 been talking a lot in the HHS Committee about really three libraries for which the plans
9 were unresolved but the CIP was looming and we wanted to bring the Library
10 Department closer to clarity as to precisely what it intended to do in Clarksburg,
11 Wheaton, and Silver Spring. Those were the three projects where the least was really
12 known about the size and scope and scale but where we wanted to send some signal to
13 the affected communities of what do we plan to do and when do we plan to do it. Of
14 those three libraries, two, Clarksburg and Wheaton still remain almost entirely up in the
15 air. But Silver Spring, with a rush of discussion and memos back and forth is coming
16 into clearer focus and this is obviously a critically important project to our very active
17 urban revitalization area. It is going to one of several cornerstones of the Silver Spring
18 revitalization effort. The Council just recently appropriated \$5 million for the final chunk
19 of land acquisition for the large site at the intersection, at the corner where Fenton
20 Street and it is bisected or is where it's perpendicular to Wayne and Bonifant which is
21 really the vital heart of Silver Spring. It is a complicated project. It is likely that the Purple
22 Line will need to run through this site. And we're doing, we're, there is a lot of discussion
23 under way about how to accommodate the Purple Line, which I personally appreciate
24 very much and I think it provides some very exciting synergy and opportunity potentially
25 to have Purple Line riders get up off the trolley and go up to the library. So, there is
26 great potential for this project and of course, extraordinary community interest in the
27 project and we want to make sure that as we proceed that we provide ample opportunity
28 for community input. So, Essie, maybe you could highlight for us what is the specific
29 decision before us today and then we can have a dialogue about what is the process we
30 will undergo, all Departments in County government, including Park and Planning trying
31 to get on the same page, what is our vision here.

32
33 Essie McGuire,
34 The Council's recommendation at this point for the FY09-14 CIP for the Silver Spring
35 Library maintained the same expenditure schedule as recommended by the Executive,
36 which does include essentially placeholder funds for capacity, totaling \$25 million, 12
37 million in the six year period. The Council has also recommended to date an
38 appropriation of \$1.775 million for FY09. The Committee's recommendation at the last
39 discussion was to continue with that appropriation for design, but to add the text on the
40 bottom of page one of the packet to add text to the PDF requiring the Executive to
41 examine multiple concepts along the parameters that are outlined here in the packet
42 and to provide periodic and regular reports to the Council. Subsequent to that, a number
43 of Councilmembers raised additional questions about the timeline and process for
44 design and how to proceed with that. The question I guess for the Council today is



May 6, 2008

1 again how to proceed with appropriation and what requirements to put on that
2 appropriation if any.

3
4 Councilmember Leventhal,

5 Okay. Let me articulate the issues before us are and then I'm going to ask
6 Councilmember Ervin to lay out the goals that she would like to pursue and then we'll
7 have the Executive Branch state its view and then Park and Planning may have issues
8 that [inaudible] put on the table. My view is this, concerns have been raised with me
9 from different corners about the planning process for the new library in terms of, will it
10 meet community needs, will it incorporate a variety of public policy goals, including the
11 Purple Line, including the need for affordable housing, including being consistent with
12 Silver Spring revitalization, including being more than just a library. Being the heart of,
13 the urban heart of Silver Spring. And it seems to me, although I personally, speaking
14 only for myself, do want this project to move ahead expeditiously. I live nearby, I'll be a
15 user of the facility. We also want to make sure that we aren't rushing it to the extent that
16 all of these competing policy issues are not adequately addressed. And so my
17 suggestion to the Executive Branch has been that we basically develop a menu of
18 options. That we lay out with those options, these are the public policy goals that we're
19 going to achieve, these are the likely time delays, and these are the reasons for the time
20 delays. It has been asserted to me, specifically, that if as some Councilmembers have
21 suggested, and actually as the County Executive himself suggested, initially, a single
22 structure were to accommodate a library and housing and potentially other uses, that
23 that would build in a variety of delays for two reasons. The first reason being interaction
24 with private investors who presumably would develop the housing and the second
25 reason being Park and Planning, which has its own processes and procedures. If, on
26 the other hand, a library were built as a free standing structure, just a library, the library
27 could go through mandatory referral. That would avoid some of the delays associated
28 with both of those other issues, the negotiations with private developers and
29 negotiations with Park and Planning. My suggestion, I'm just going to put it on the table
30 right now, and I know Councilmember Ervin has really been the leader here and she's
31 eager to speak to this, is that we go ahead and flesh out this menu of options. Let us
32 see an option.

33
34 Council President Knapp,
35 Mr. Leventhal, turn on your light.

36
37 Councilmember Leventhal,
38 My goodness, I'm sorry. Do I have to go back over all that?

39
40 Councilmember Elrich,
41 I don't think anybody missed it.

42
43 Councilmember Leventhal,
44 I hope Valerie's mic picked me up.



May 6, 2008

Councilmember Ervin,
It's off.

Councilmember Leventhal,
Okay. Well, roll back the tape. I'll just start again. My suggestion is, is that we develop a menu of options, that the option of a free standing library with the rest of the site being used for other purposes be an option, let's call it option A. That an option that was discussed with a combination of functions in a single structure be discussed, that might be option B. Mr. Berliner expressed interest in the Committee's deliberations in a taller structure with more green space next to it, that might be another option. You wouldn't have to have three. You could have three or four. But, it seems to me and I'm looking right at Hamid Omidvar right now, that with all the creativity and capability that we have in house, developing very broad, general options should not involve undue delays. That if there are delays in considering those options as a result of negotiations with the private sector, negotiations with investors, negotiations with Park and Planning, that those should be explained as a function of the options. So that, if it is the case that a free standing library all by itself, with the remainder of the site to be dealt with later, is the fastest option, well those would be the pros and cons of that option. That would be one option. There would be other options as well and then those options ought to be provided to Councilmembers, especially the Councilmember from District 5 who represents that area and to the public. So that is where I'm hoping we can end up this discussion. Let me stop now, ask Councilmember Ervin to lay out her goals here and then if the Council President sees lights from other Councilmembers, I can't see them, and then we'll let the Executive Branch and Park and Planning, and the Library Department, and anyone else who wants to comment, comment.

Councilmember Ervin,
Thank you.

Councilmember Leventhal,
Councilmember Ervin.

Councilmember Ervin,
Thank you very much Chairman Leventhal. I think you laid it out very well. When the issue first came to light really was a week ago Friday when I was visited by Gary Stith with a very rudimentary drawing of what the standalone library might look like, and for my colleagues, if Sonya could pass this out so that everybody has a copy of what the drawings look like. My initial response was, let me take a look at this. I saw it on that Friday and was asked to make a determination on that three days later on the following Tuesday. At that HHS meeting, the Committee voted to appropriate funds for the land. It seems to me that the issue that I'm most concerned about is not just the library site, but the entire Fenton Village and the context and design excellence and what the library, if we are on a hurry up and build a library frame of mind, how will that impact that close in



May 6, 2008

1 neighborhood, which I live very nearby? I know that the folks in the neighborhood are
2 very concerned about what will become of Fenton Village and the corner that we are
3 talking about right now, to put the library there when we know that the Purple Line
4 alignment may or may not end up going underneath that library. It could also go around
5 the library. There are a lot of issues here I think that the neighborhood is very, very, very
6 concerned about. First of all, let me just say that I am excited to have the library built in
7 downtown Silver Spring. It has been a long time coming. My point of view here is to not
8 hold up the library for any reasons that are not very, very serious and that if we go
9 ahead and appropriate this money, we don't get a do over. We had some issues with
10 the Transit Center and I believe that we should take our time and do it right. We don't
11 get to go back and look at this building 10-20 years from now and say, wow, that was a
12 big mistake. We were always told that this was going to be a mixed use project. It came
13 to us as a standalone building. Not very nice looking, I might add. I think that the
14 citizens of Silver Spring deserve to have us slow down the process a little bit and take a
15 look at all of Fenton Village. It is not just this particular site that concerns me. It is this
16 hurry up and build and we will talk about it afterwards kind of mentality that seems to be
17 coming from the Executive Branch. I didn't have a lot of time. Mr. Stith came to me three
18 days before the Committee meeting. I didn't think that was enough time for the
19 Councilmember representing District 5. It is not the first time that I get something at the
20 very last second and I'm supposed to vote on it or make some recommendations two or
21 three days later. I don't think that is the right approach. I think that the Chairman pretty
22 much laid out the views that I have. I have a memo that five colleagues signed on to.
23 We are very concerned about where this is going. So, that is where I am right now. I'm
24 really happy to see Chairman Hanson here and Rollin Stanley here because one of the
25 things that I have learned in the 18 months that I have sat on this dais is that I believe
26 that Chairman Hanson has been very correct in his assertion that design excellence is
27 where we need to go. We have a lot of ugly buildings that we can't tear them down now
28 and do do-overs. I'm very concerned about the design, about the context, about the
29 community's input. And so I'm really happy that you two are here at the table.

30
31 Councilmember Leventhal,

32 So, could I just, just to bring this into focus, I see that Diane Jones wants to comment
33 and I assume Chairman Hanson and maybe Ms. Hamilton too, but Councilmember
34 Ervin, the language at the bottom of page 1 which Essie brought to our attention, and
35 I'm going to impose upon the Council just to read it, just because I think it's important
36 that we bring it into focus, but the question is, does this right now, Councilmember
37 Ervin, represent your view? Is this what you're seeking? Funds appropriated for this
38 project must be used to develop multiple concept designs for mixed use of the complete
39 parcel of land purchased through this PDF for the Silver Spring Library. Alternative
40 concepts must include a single mixed use building that includes the library, affordable
41 housing, retail, arts, and community use, at least one option that maximizes density
42 under current zoning, and options for use of any remaining space such as park or green
43 space, public plaza, and retail. Concepts must also accommodate future development
44 of the Purple Line with alternatives for the relationship of the building or buildings to the



May 6, 2008

1 Purple Line. Concepts must be developed through a charrette process for seeking and
2 incorporating community input into the designs. The Executive must provide written
3 progress reports to the Council by September 15, 2008, January 15, 2009 and March
4 15, 2009, and once at the end of conceptual design, and once at the end of schematic
5 design. Would this language satisfy your interest in providing the community input and
6 providing both the Council and the community a range of alternatives?

7
8 Councilmember Ervin,

9 I think that it would, but the reason Dr. Hanson is here with Rollin Stanley is because I
10 would really like to hear their point of view on the approach before, you know, I answer
11 that in the affirmative. That was PDF language that we proposed in the event that the
12 Council was not comfortable with the memo of May 2nd, Fenton Village and the Silver
13 Spring Library. Is that the way you understood it, Essie?

14
15 Essie McGuire,

16 Yes. Again, the Committee's initial discussion did request the text that is drafted that Mr.
17 Leventhal just read. It does not address the larger Fenton Village issues that were
18 raised in the memo.

19
20 Councilmember Ervin,

21 Right.

22
23 Councilmember Leventhal,

24 Okay. So, let's. Mr. President, I see other Councilmembers want to speak.

25
26 Council President Knapp,

27 Yeah, I'd like to try and just, to get a comment from the Executive Branch and then get, I
28 am sure there is going to be a full dialogue here, and then turn it back to
29 Councilmembers just to make sure at least we have that perspective out there.

30
31 Diane Schwartz-Jones,

32 Thank you Mr. Knapp, Ms. Ervin, Mr. Leventhal, Councilmembers. First of all, the
33 County Executive's position on this is that we are fine with the language that has been
34 proposed for the charrette process. We are fine with the language to be introduced into
35 the PDF. We agree, we think that there has been some misunderstanding as to the
36 drawings that you were provided. Those are not design drawings. They were massing
37 studies. It was a massing analysis to determine whether or not this corner, which is
38 scheduled to have housing on it, it's scheduled to have the library on it, and it's
39 scheduled to have the Purple Line on it, whether or not these three functions can
40 coexist on this 60,000 square foot parcel of land. The determination and what we think
41 that this massing study shows, and Mr. Omidvar can address this more fully, what we
42 think it shows is that, yes it can fit. That was never intended to be the design. We agree
43 that there should be concepts. We agree there should be a charrette. We agree that you
44 should be part of the process, Ms. Ervin. We agree that the public should be part of the



May 6, 2008

1 process as well as the Planning Board should be part of the process. With that, the
2 menu of options that Mr. Leventhal described is fine. The idea of having the standalone,
3 we are perfectly agreeable to present concepts that show a library with the housing on
4 top of it, a library with the housing behind it. However we do it, all the different options
5 that are out there that utilize the density, which is what I think we all share the common
6 objective of doing, the Zoning Text amendment itself with respect to the Fenton Village
7 overlay will facilitate the ability to achieve greater green space in our opinion, as it
8 relates to the housing piece of it. We don't think that the funding should be held up for
9 the design. We want to move forward, we want to develop these concepts, we want to
10 get them out in front of you. We think, and our recommendation will be that we treat
11 these as two separate projects. It is the same site. You plan it as a site, but you create it
12 so that you have what you've heard me call before a bright line, so that one piece can
13 move forward while the other pieces, processes are going through their pieces of it,
14 their components of it. We are interested, the library, we would like it to go through the
15 mandatory referral process which is the process that is legally set out in the Regional
16 District Act. As a standalone facility, it is easier to do that while we're still retaining the
17 density for the housing component to put onto the DHCA site. The problem we found in
18 the past, one example would be the conference center, we realize about a two to three
19 year delay with the conference center that cost us an additional \$6 million. With the
20 Silver Spring Transit Center, and that, by the way, did not go through mandatory
21 referral, with respect to the Silver Spring Transit Center, we found ourselves kind of
22 wrestling with the notion of, if it's an integrated building with the private development,
23 which, by the way, is still not ready to go forward, the pads are created but it's not
24 moving forward, but we're ready to move forward with the Transit Center, if we had
25 those two integrated together, and we put it through optional method, we would not
26 have a new Transit Center. I guarantee you that. And the reason we would not have a
27 new Transit Center was because there was federal funding, federal funding that we had
28 to fight very hard to keep that had a sunset date. And had this gone through some other
29 process, which has appeals with it, which do not exist under the mandatory referral
30 process, then we would have found ourselves without the federal funding because it
31 would have lapsed and there is a whole lot of competition, as we all know, for the
32 federal funds for transportation facilities. So for that one, the approach that we took was
33 we looked at that site, we figured out how we could create, again, this bright line where
34 we have the standalone Transit Center, but we're reserving the density, creating the
35 development pads, but planning, the entire site was planned together, so that
36 everything could be realized there. We could realize, for that facility, the transportation
37 component plus we could realize the transit oriented development. So, when we began
38 thinking about the Silver Spring Library and our concerns about delay and timing and
39 the fact that this community has waited a very long time for this library, we looked at it
40 and we thought that we could figure out what could fit there. The DPWT has worked
41 with the state in order to figure out where the Purple Line and the platform will be so that
42 we know where to set back from and determine whether or not the facilities could fit
43 there. So that is why, what we have recommended, is that we have the library on its
44 track, the site be planned together, and the housing can go forward on its own track, but



May 6, 2008

1 again, planned together. The public process, we absolutely agree. We think that the
2 public should be involved. So, that is where we are. If it is the Council's will to do it a
3 different way, obviously, we will respect that. We think that we are not saying anything
4 very differently from what you are saying. You want the concepts. We will give you the
5 concepts. We agree. We think they need to be considered and discussed and we think
6 the timelines need to be discussed.

7
8 Council President Knapp,
9 Councilmember Elrich.

10
11 Councilmember Elrich,
12 I'm supportive of, I obviously signed on to the letter that you all got. I guess I'm
13 concerned at a couple of levels. We are going to be focusing, you know, much of our
14 redevelopment on the older areas. And we are only get one shot to do this right. I see,
15 you know, our construction pattern is basically a hodge-podge of buildings that don't fit
16 in any coherent way, that are not architecturally significant, that don't contribute much,
17 and I see the same pattern going forward in Fenton Village. You know, we started out
18 with, you know, a master plan. It got overlaid with a new overlay zone that said, we'll
19 take the heights up to 90 feet. Now suddenly to stimulate whatever you all are planning
20 on stimulating, you want a ZTA that bumps it up to 143 feet. It seems to me what we are
21 trying to do is to fast track stuff without any plan for how stuff fits. To me, it is more
22 important, it's not just important that something get built, but it's the form and function of
23 things. We are losing the opportunity to say something about the form and function for
24 what will be the permanent redesign of a significant portion of Silver Spring that has a
25 significant impact on the neighborhoods around it. This is not like, I remember hearing a
26 discussion in Germantown where they referred to some of the shopping centers. The
27 attitude was, well, this is just temporary, these are cheap buildings, and they get around
28 to the next stage of development, this is going to be knocked down and something else
29 can go here, they're one story, they're on a pad. This is not going to be one story on a
30 pad stuff in Fenton Village. When somebody builds here, they are going to build it for
31 the next 50-100 years. We need to get this right. The way we are going, and the way we
32 are trying to push things forward, we are not going to get it right. We are going to get
33 more of the same bad stuff that we've consistently gotten so far in Montgomery County.
34 And I think we just, this has to happen right. There has been a lot of discussion about
35 form-based codes. There are a lot of discussion about better ways to do things, whether
36 it is pure form-based or modifications. And I think we ought to take the time. The area is
37 going to get redeveloped, to get done the right way. There are neighbors there who are
38 deeply concerned about what is going to happen. They are willing to see
39 redevelopment. But they want redevelopment in a way that they can look at this and say
40 this fits with our community. This is part of our community. This adds to our community.
41 Valerie and I are cosponsoring a ZTA that came about of the neighbors working with the
42 developer, looking at a project and looking at an opportunity to do things better and do
43 things different from people who I think were characterized as opposing anything. You
44 know, the assumption was, these people would oppose anything that was built



May 6, 2008

1 anywhere and we're walking away from something where people didn't oppose anything
2 that was built anywhere. And I think we have got the opportunity to engage the
3 community and do this in this area right. It's not that big an area, we are only talking
4 about a few blocks. And I think we ought to look at this. And I would encourage you to
5 take the same approach that you all took to, the way you came to us over the Training
6 Academy. You know, we waited a long time for that. There was a lot of pressure on us
7 to get that done. The Executive Branch kept saying, hold on, hold on, we might have a
8 better idea, there are things that might work out better, if you are just patient, let us try
9 to put some of these pieces together. And I would say that what you have come back
10 with is a lot better than where we started. I think it offers great opportunities from the
11 County to accomplish multiple objectives and I would encourage the Executive to look
12 at the discussion about the library and Fenton Village in the same way. You know, yeah,
13 you could rush something forward and you might be able to get stuff built, but this might
14 be the moment to step back and try to do it a little bit better and come out with
15 something that we're all going to say, you know, it was worth another six months, or it
16 was worth, you know, whatever it was because people are going to be a lot more
17 comfortable with this and be a lot happier with what Silver Spring looks like at the end.
18 So that is the approach I'm taking to this. I think the library is important. I mean, I grew
19 up going to the original Silver Spring Library. I either took the bus down Georgia Avenue
20 to Silver Spring or the bus up Georgia Avenue to Wheaton so I know the importance of
21 these libraries, just as a high school kid. And Silver Spring has waited a long time for a
22 civic center, too, I might add. I'm not interested in endless delay. But I am interested in
23 taking this opportunity to get it right because, like Valerie said, you are not going to get
24 a chance to do this again. This is it.

25
26 Council President Knapp,
27 Councilmember Berliner.

28
29 Councilmember Berliner,
30 I was pleased to work with my colleagues in Committee, and particularly with
31 Councilmember Ervin with respect to this. We have had a long standing conversation
32 with respect to this issue with the Executive Branch and housing and how housing fits,
33 affordable housing in particular, on this site. And I believe it was, in fact, the County
34 Executive himself that at one point said that he envisioned housing on top of the library
35 in the way in which one of the options would provide. But I wanted to get back to, and
36 look forward to Dr. Hanson responding to what I believe to be an overarching question
37 apart from this site, is that what we have seen with respect to our investment in libraries,
38 is that our investment in libraries become, if you will, the anchor of communities. And if
39 we are proceeding with this significant investment, its relationship to the larger goals
40 that the District Councilmember has for this community, that all of us has with respect to
41 this community, how we achieve that in the absence of literally integrating them from the
42 get go. So I'm looking forward to Dr. Hanson responding to that piece of the equation, in
43 particular.
44



May 6, 2008

1 Royce Hanson,

2 Thank you. Royce Hanson, Chairman of the Planning Board. This is a very important
3 site and the library will be a signally important feature of Silver Spring. The development
4 of Silver Spring has proceeded except for the Silver Spring Transit Center through the
5 optional method Central Business District Zone review process. We think it has been
6 very successful. We do not think that the Transit Center was a great success. The, it's
7 important to have a coherent and comprehensive design of a site of this size that
8 involves multiple uses. We do not think that complying with the CBD optional method
9 approach will result in delay. What is necessary at the project plan level is schematic
10 design of the overall project identifying where the various features are located, and
11 laying out the kinds of things that have to be addressed at site plan review subsequently
12 when all of the detailed architectural and landscape and site drawing work has been
13 done. We think this process lays out the issues that need to be addressed when you get
14 to site plan and that it results in a better and more coherent overall project. The
15 separation, well, one other thing, at the project plan, it is possible to present a phase
16 development scheme so that if it is appropriate to go ahead and build the library or the
17 corner or some other part of it first, that can be done. The important thing is to see how
18 the whole thing works together and how it fits into the overall framework of the whole
19 community. The problem with mandatory referral is, of course, that the agency is not
20 required to accept any of the suggestions or recommendations that are made at
21 mandatory referral. We were able to get some additional benefits out of the Silver
22 Spring Transit Center solely, and I emphasize solely, because it was necessary for us to
23 release the park easement which we held on a significant piece of that property. We did
24 not get, because of the severing of the properties, the kind of public open space that
25 could otherwise have been achieved, because when you are dealing with the two
26 parcels separately, you have limitations on what can be done. So, and the only reason
27 that we reluctantly agreed to the mandatory referral on the Silver Springs Transit Center
28 was because I think our Board had previously agreed to do it that way. We were
29 confronted with the issues of delay and deadline. I do want to point out that there
30 probably has been plenty of time to have done it right. So I would suggest, just to make
31 it very clear that you add to your PDF a statement that the entire acreage of the mixed
32 use project be submitted for review and approval under the CBD Zone optional method.
33 I think we have to make it clear that's the way the community center was done, that is
34 the way our building is going to be done as a joint use project. It will be phased but it will
35 also be through that process and I think we need to set, the public needs to set an
36 example of how to do good design and how to do it right.

37
38 Council President Knapp,

39 Okay. I just had a couple of questions on both of your comments. As a District
40 Councilmember I am sympathetic to the concerns of my colleague from Silver Spring
41 and understand that, you know, there is a lot of conversation to take place, that
42 sometimes we feel a part of, sometimes we don't. I appreciate and recognize that. One
43 of the things I wanted, Dr. Hanson in your comments you said that the CBD option
44 method approach, there doesn't have to be a delay but I would, I guess my question



May 6, 2008

1 would be, in the course of having done public projects, have we done any public
2 projects that way that we can point to, and you referenced a couple of them.

3
4 Royce Hanson,
5 Yes.

6
7 Council President Knapp,
8 And what was kind of the timing and the experience with those?

9
10 Royce Hanson,
11 The latest one that we did I believe was the Silver Spring Community Center at Fenton
12 and Ellsworth. And I think, Mr. Creager is here and he can comment on others that have
13 been done in the Silver Spring area.

14
15 Hamid Omnidvar
16 I think Mr. Hanson is referring to civic building?

17
18 Royce Hanson,
19 Yeah, the civic center.

20
21 Council President Knapp,
22 Okay. Thank you.

23
24 Diane Schwartz-Jones,
25 If I may.

26
27 Council President Knapp,
28 I guess my question is, just about every project we have had in the last shortage of, you
29 know, last period of time that there has been some delay because given our current
30 implementation rate we are not doing great, but I guess, how do we get to a point
31 where, and you are going to say, I guess we are kind of back to the, some of the pissing
32 contests we've had before, so you are going to say we should do CBD optional method
33 use, the Executive is going to say mandatory referral. At the end of the day, the
34 question that we have to figure out is, how do we get the right level of participation to
35 look at the whole parcel. I guess that becomes the issue that we need to try and figure
36 out how to get language to capture that. You are going to defend your position and you
37 are going to defend that position and then we're going to try and kind of split the baby
38 with bathwater a little bit.

39
40 Councilmember Leventhal,
41 Could I offer a suggestion in that regard?

42
43 Council President Knapp,



May 6, 2008

1 Sure. I just have one more question and, because the Transit Center, to me, seems like
2 an interesting project, but had we followed the Planning Board's timetable we would
3 have lost our federal funding.

4
5 Royce Hanson,
6 No, you would not have. That was asserted but it would not have occurred because we
7 were prepared to proceed and it would have.

8
9 Diane Schwartz-Jones,
10 There is no doubt.

11
12 Royce Hanson,
13 We could tell how it could be done. The delay, they just now got the bids back.

14
15 Diane Schwartz-Jones,
16 If I may, I have to respond to this.

17
18 Councilmember Leventhal,
19 Suspect that's not going to get resolved this morning Mr. President.

20
21 Diane Schwartz-Jones,
22 Two things. Planning versus process. We agree, you know, I don't have an issue with
23 what Mr. Elrich said about planning. I don't have an issue with what Ms. Ervin has said
24 about having this planned so that it does tie in and relate to the Fenton Village and the
25 process that we need to do that. The state, in its wisdom, has set up mandatory referral
26 as the process for public buildings. We have fiscal responsibilities that we have to
27 adhere to, we have budgets, we don't have flexibility at times on things. In the meantime
28 when we do, we do do this mandatory referral process and pursuant to that mandatory
29 referral process, we commit, we do, we work with Park and Planning and if this is about
30 mandatory referral versus optional method, I don't think that is what this discussion
31 should be about.

32
33 Councilmember Leventhal,
34 I have a suggestion in that regard.

35
36 Council President Knapp,
37 Chairman Leventhal.

38
39 Councilmember Leventhal,
40 Okay. I would like to first of all bring us, if we can, to some resolution.

41
42 Council President Knapp,
43 Yes, that's what I want to get to.



May 6, 2008

1 Councilmember Leventhal,

2 And it seems to me that we are not foreclosing any of these things today by adopting
3 language that may resemble or we may modify the language at the bottom of page one
4 and here is why I think so. Okay, first of all, I take no sides on the matter of whether the
5 Silver Spring Transit Center was appropriately handled or whether we would or would
6 not have lost federal funding or whether Park and Planning, you know, is just right on
7 timing or takes too long. I mean, these are things that are obviously subjects of, you
8 know, on which there are strong emotions. But we are not talking about the Silver
9 Spring Transit Center this morning. We're talking about the Silver Spring Library. And
10 the Silver Spring Library need not be tied up with a bow this morning either. What I
11 think, I don't, she doesn't need me to speak for her, but you know, I have signed her
12 memo and I think what Councilmember Ervin is looking for and I think the community
13 would be interested in is, again, a menu of options. One of those options could involve
14 mandatory referral. I think it is useful for the community to understand in greater detail,
15 particularly the people who are really interested in Silver Spring development, I mean,
16 you've got some very knowledgeable people who take a great interest in these issues. I
17 am getting educated and I think the public would, aspects of the public, people are
18 interested in these issues, would welcome understanding the pros and cons of
19 mandatory referral versus optional method, understanding better what may build in
20 delays and why, what are the benefits of having Planning Board make mandatory
21 recommendations to public agencies. You know, these are all issues that I think, this is
22 a great story being told here this morning. Okay. So give us a cafeteria. Give us, option
23 A might involve mandatory referral, option B might not. My understanding is that the
24 nature, correct me if I am wrong, I really would like to understand, that the nature of the
25 project itself dictates what happens at Planning Board. That's what was the concern on
26 both sides. That is, if it was a mix, if private investment was involved, if you had to
27 negotiate with the developer to do the housing with that structure, you lost the benefit of
28 mandatory referral. All right, so that would be one of your options. The assertion is that
29 would build in delay. Put that in the option. Just make sure we are telling the truth, and
30 let both sides, I'm sorry, there seem to be two sides around this debate, but you know,
31 let Park and Planning, if the assertion in the County Executive's memo here delay in the
32 funding of design, no, I'm sorry, hold on, I am concerned that some of the approaches
33 that are being discussed now, in particular the proposed joint development of a single
34 structure will result in a three to five year delay in realization of the new library. If that is
35 true, then let's have that conversation with the community.

36
37 Diane Schwartz-Jones,
38 We agree.

39
40 Councilmember Leventhal,

41 If Park and Planning believes it's not true, then let's make sure that the assertions we
42 are putting out there in these options are true. But none of that needs to be decided
43 now. The one thing is, I mean, I am reading back over all of these things, several of
44 which I signed, and one of the things I signed was this memo on circles 24 through 27,



May 6, 2008

1 okay, which makes a lot of really good and useful and interesting points regarding the
2 development of this neighborhood that I know very, very well and that I utilize heavily,
3 it's very close to my home. But it also ends by saying we think that the appropriation for
4 design should be delayed. I have to say, and I need Councilmember Ervin's attention
5 here, I have to say that I don't see how we get to where I think we all want to go, really
6 serious fleshing out of different options, one or two of which may involve mandatory
7 referral, others of which may not, others of which the Planning Board may have different
8 views on, I don't see how we get there without some money to get there. So if we could
9 get, I am just putting this out there as a proposal to get us off the dime and resolve this,
10 okay, if we could get language in the PDF that ties the Executive Branch to a firm
11 commitment that a menu of options will be provided for elected officials to review, for
12 the community to review then, speaking only for myself, I would be willing to put some
13 money into the deal because I understand that fleshing out those options is going to
14 cost some money. So I signed this memo. I am willing to put on the table that we put in
15 the PDF, you can't proceed unless you give us this menu, unless you have the
16 charrette, unless you lay out the pros and cons of the different approaches, including
17 mixed private public development, including laying out these are the benefits of
18 mandatory referral vis-à-vis having the Planning Board have maximum input, but I am
19 also willing to step back on the issue of holding off on the money because I don't see
20 how you do those things without any money. So I am putting that on the table, if my
21 colleagues are clear, and maybe we can begin to resolve this.

22
23 Council President Knapp,
24 So basically, this language, so what the Chair of the Committee.

25
26 Councilmember Leventhal,
27 Well, if not this language, we could perfect this language. I mean, I know that.

28
29 Council President Knapp,
30 For the sake of argument, the concept of this language associated with some dollars.

31
32 Councilmember Leventhal,
33 The concept of developing a menu of options for elected officials and the public to
34 review the pros and cons and to provide input. That we don't just proceed in a rush with
35 something that calls for mandatory referral because the Executive Branch believes it is
36 right, that we provide the public and other elected officials in the Legislative Branch the
37 opportunity to weigh the pros and cons of these different options.

38
39 Council President Knapp,
40 Okay. Turn to Councilmember Ervin and then see if we have got the makings of a
41 proposal to move forward.

42
43 Councilmember Ervin,



May 6, 2008

1 Okay. I just wanted to reaffirm my original intention of the May 2nd memo, subject
2 Fenton Village and Silver Spring Library, that I believe that we need to have a broader
3 conversation about context for the entire Fenton Village, not just the library site. But
4 since we are on that, the reason we wrote this PDF language was to try to move, you
5 know, move it somehow. I don't know how much this is going to cost us to do what the
6 Chair just laid out which I agree with. That is one level, but on the other hand, I think we
7 still need a broader, contextual conversation about the Fenton Village and what that will
8 look like and how this fits into that whole conversation. Because that is my biggest
9 concern is that we're going to build a box and then figure out what the rest of it's going
10 to look like later.

11
12 Councilmember Leventhal,
13 Put that in the PDF too. Put that in the PDF too, have a sentence something like the
14 implications of the development of this corner for the overall plan for Fenton Village.

15
16 Councilmember Berliner,
17 How this integrates with a, the vision.

18
19 Councilmember Leventhal,
20 Right.

21
22 Councilmember Berliner,
23 Of Fenton Village.

24
25 Councilmember Leventhal,
26 Good. Good. Good suggestions here. Essie's furiously taking notes.

27
28 Diane Schwartz-Jones,
29 We're okay with that.

30
31 Councilmember Leventhal,
32 And maybe we could come back this afternoon with some agreeable language for the
33 PDF.

34
35 Councilmember Trachtenberg,
36 That sounds good.

37
38 Council President Knapp,
39 Heads nodding up and down?

40
41 Councilmember Ervin,
42 That's fine.

43
44 Council President Knapp,



May 6, 2008

1 Okay.

2
3 Councilmember Trachtenberg,
4 Specific to the overall context.

5
6 Royce Hanson,
7 You may be asking for us to use the limited amount of money that is still in our budget
8 for limited master plan amendments.

9
10 Council President Knapp,
11 Well, that's.

12
13 Councilmember Leventhal,
14 No, I don't know about that.

15
16 Council President Knapp,
17 Hold on.

18
19 Councilmember Leventhal,
20 Let me say this. Okay. Because what we are talking about here is, for this project there
21 would be charge backs to this project, \$7 million for planning and design for this project.
22 I don't think, I mean first of all, let me, I do think that the primary responsibility to
23 develop the Silver Spring Library is with the Executive Branch. I am trying not to take
24 sides in what is obviously a major long standing disagreement here, but I do not think it
25 is Park and Planning's responsibility primarily to design libraries.

26
27 Royce Hanson,
28 We agree with that.

29
30 Councilmember Leventhal,
31 Okay. All right. So I don't, I mean, you know, I am sorry for the Chairman, he is taking a
32 tough hit and his budget is tight, and for Mr. Stanley, you know, you are going to have a
33 hard time managing with little money but so is everybody else. Times are hard.

34
35 Royce Hanson,
36 All I was trying to point out is, if there is to be an overall review of the Fenton Village and
37 the overall concept there, that would entail a master plan amendment and.

38
39 Councilmember Ervin,
40 That's true.

41
42 Royce Hanson,
43 We have a limited amount of money in our budget for limited amendments to master
44 plans and this is probably high on the list.



May 6, 2008

1
2 Councilmember Ervin,
3 I do have to ask one question.

4
5 Council President Knapp,
6 It's a fair point to raise and something we've got to take into account as we look at the,
7 all of the other priorities.

8
9 Councilmember Ervin,
10 Quick question Council President, and that is, I just want to be clear, Ms. Schwartz-
11 Jones, that what you're advocating for here is, you still want to go ahead with the design
12 money to segregate out the library, make it a separate standalone entity.

13
14 Councilmember Leventhal,
15 Well, that is just one option.

16
17 Councilmember Ervin,
18 Okay. Well, I heard her say something a little while ago that indicated that that is exactly
19 where you still want to be.

20
21 Diane Schwartz-Jones,
22 No, I want to be clear on this.

23
24 Councilmember Ervin,
25 Okay. All right.

26
27 Diane Schwartz-Jones,
28 The design money will be used for the purpose of coming up with concepts, the
29 smorgasbord menu, as whatever you wish to call it that Mr. Leventhal has mentioned.
30 We will work with Park and Planning, I think it's very important to understand what the
31 thoughts are about this, the Fenton Village, and I think that's probably the first step and
32 we will work with them to understand that. As of today, right now, our position is,
33 depending on, you know, if our objective is to realize the library as a standalone, and if
34 that continues to be the objective then the money, the remaining money then will go
35 towards that. But obviously you all are going to be seeing the concepts. And we're not
36 going to go in that direction until we have the Council buy-off. We have no interest in not
37 working with you. We do want to work with you and we would like to come up with the
38 best design that we can for this library. We have an interest, the County Executive has
39 an interest, just like the Council in having stellar facilities around the County.

40
41 Councilmember Leventhal,
42 Smorgasbord, tapas bar, rice toffel, lazy Susan, buffet.

43
44 Unidentified



May 6, 2008

1 A Jim.

2
3 Unidentified
4 Lunch time.

5
6 Council President Knapp,
7 Can you tell? [multiple speakers] Okay, so, let me, so we have got before us basically
8 taking the language we have here as a framework, getting some refinement to it on the
9 basis of.

10
11 Councilmember Leventhal,
12 Adding language about the impact on Fenton Village overall.

13
14 Council President Knapp,
15 Fenton Village, getting that, and then we also need to have a number associated with
16 what we are putting in the PDF. So we actually need to figure that out as well.

17
18 Essie McGuire,
19 And right now, again what the Council has to date recommended, 1.7, I'm sorry, it's
20 1.775 for FY09 is the appropriation amount.

21
22 Councilmember Leventhal,
23 Okay.

24
25 Council President Knapp,
26 Okay, which was what the, that was recommended, and that was the Executive's
27 recommendation.

28
29 Essie McGuire,
30 That was the, that was to meet the Executive's original design estimate. My approach in
31 working up the PDF language to get through multiple concepts was to stay in that cost.
32 However, if that is not feasible the Executive would need to comment on that.

33
34 Council President Knapp,
35 Okay, can.

36
37 Essie McGuire,
38 I think to get through concepts it may be sufficient.

39
40 Council President Knapp,
41 Okay, given the language we've just talked about, is it possible for staff to get, go offline
42 and come back.

43
44 Unidentified



May 6, 2008

1 Yes.
2
3 Council President Knapp,
4 With a number for this afternoon so we can bring this back as a complete package with
5 both language and potential costs associated with it, not necessarily saying that
6 whatever number the Executive Branch says that the Council is going to agree to, but at
7 least to give us a ballpark of where it is that we're looking at since we are talking about
8 a little different approach. Can we do that and then we'll bring this back this afternoon? I
9 see heads nodding up and down. I like that. Everybody on the other side. Okay. All
10 right. Great. Then that's what we will do. We'll see this later this afternoon. Thank you
11 Mr. Chairman. Thank you Councilmember Ervin. And we are in recess until 1:30 when
12 we have public hearing and then turn back to the FY09 Operating Budget, Department
13 of Transportation. Thank you very much.

May 6, 2008



TRANSCRIPT
May 6, 2008

MONTGOMERY COUNTY COUNCIL

PRESENT

Councilmember Michael Knapp, President
Councilmember Roger Berliner
Councilmember Valerie Ervin
Councilmember George Leventhal

Councilmember Phil Andrews, Vice-President
Councilmember Marc Elrich
Councilmember Nancy Floreen
Councilmember Duchy Trachtenberg



May 6, 2008

1 Council President Knapp,

2 Good afternoon. This is a public hearing on Bill 13-08, Taxation - Arts and
3 Entertainment District - Property Tax Credits which would amend the law allowing a
4 Property Tax Credit in Arts and Entertainment Districts to conform to state law, clarify
5 that the Property Tax Credit only applies to a portion of a building that is used by a
6 qualifying, residing artist or arts and entertainment enterprise, and generally amend
7 County law regarding Arts and Entertainment Districts. An MFP Committee worksession
8 is tentatively scheduled for Monday, June 9, 2008 at 2:00 p.m. Persons wishing to
9 submit additional comments should do by the close of business on Friday, May 23,
10 2008 so that your views can be included in the material which staff will prepare for
11 Council consideration. Before beginning your presentation please state your name
12 clearly for the record. We have four speakers. The first is Tina Benjamin speaking on
13 behalf of the County Executive, and we have Charlie Barnett speaking on behalf of the
14 Maryland Youth Ballet, Jose Dominquez representing Pyramid Atlantic, and Fran
15 Abrams representing the Montgomery County Arts and Humanities Council. Everyone
16 has three minutes. Ms. Benjamin, you are first.

17
18 Tina Benjamin,

19 Great. Thank you so much. Good afternoon. For the record, I am Tina Benjamin with
20 the County's Department of Economic Development. I'm here this afternoon testifying
21 on behalf of the County Executive in support of Bill number 13-08. And it's basically a
22 minor amendment to the County's existing law relating to the Arts and Entertainment
23 District. I thought before I talk about the Bill, if I could just spend 60 seconds on the A&E
24 Districts for our newer Councilmembers. In 2001 the State of Maryland through enabling
25 legislation devised the concept of the Arts and Entertainment Districts. The goal of the
26 Districts is to promote and stimulate community and neighborhood revitalization through
27 the use of arts, culture, and entertainment activities and venues. In order for a
28 community to be recognized as an Arts and Entertainment District, the local sponsoring
29 jurisdiction, in this case Montgomery County, had to enact some financial and tax
30 incentives. One of those incentives was a property tax credit for qualifying artists and for
31 qualifying arts and entertainment entities. The County Council unanimously adopted this
32 back in 2002. The state has designated 15 communities as Arts and Entertainment
33 Districts. Montgomery County has three A&E Districts, being in Bethesda, Silver Spring,
34 and Wheaton. The amendment before basically expands on the definition of what
35 qualifies for the property tax credit. When the enabling legislation was first passed by
36 the state, the tax credit only applied to the renovation of existing space, commercial and
37 industrial space. And the state has expanded that definition to include newly
38 constructed arts and entertainment uses. The state also clarified one thing in the Bill,
39 and that's that only the portion of a building that is used for artistic, cultural,
40 entertainment purposes should receive the tax credit. So, if you are dealing with a
41 mixed use building and you have a ground level gallery, only that would receive a
42 property tax credit. What this amendment does is basically just align County law with
43 state enabling legislation. I'd be happy to answer any questions that you have, and
44 thank you so much for your time today.



May 6, 2008

1
2 Council President Knapp,
3 Thank you very much. Our next speaker is Jose Dominquez, representing Pyramid
4 Atlantic.

5
6 Jose Dominquez,
7 Good afternoon. For the record, my name is Jose Dominquez and I am the Executive
8 Director of Pyramid Atlantic Arts Center. I am here today to testify in support of the
9 amendment to the Property Tax Credit legislation for Arts and Entertainment Districts.
10 Pyramid Atlantic is located in the Silver Spring Arts and Entertainment District. The
11 mission of Pyramid Atlantic is to promote and nurture artistic excellence for people
12 through imaginative programming in the paper arts, print making, book arts, and digital
13 media. In 2007 and 2008, we hosted ten artist residencies, 50 workshops for adults, 28
14 workshops for youth, and 12 art exhibitions. The impact of the Arts and Entertainment
15 District on life in Silver Spring has been quite measurable. Pyramid Atlantic relocated to
16 Silver Spring from Riverdale to be a part of the District and through our programs attract
17 residents and tourists who also support adjacent businesses that include restaurants,
18 hotel, retail, and other entertainment venues. The presence of the Arts and
19 Entertainment District has also enhanced property values, the profitability of
20 surrounding businesses, and the tax base of the region. Additionally, investment by the
21 County in the Silver Spring Arts and Entertainment District has helped to attract a
22 diverse and well-educated work force, a key incentive for new and relocating
23 businesses to the area. Pyramid Atlantic is proud to be one of the arts venues in the
24 Arts and Entertainment District and through our programs helps stimulate neighborhood
25 revitalization. On behalf of visual artists in Montgomery County, we hope that the
26 Council will look favorably on this amendment. Thank you.

27
28 Council President Knapp,
29 Thank you very much. Fran Abrams. Oh, I'm sorry.

30
31 Mike,
32 I'm actually Mike – from the Department of Finance here to help Tina answer any
33 questions you might have.

34
35 Council President Knapp,
36 That's what I thought. Okay.

37
38 Unidentified
39 Where is?

40
41 Council President Knapp,
42 I don't know. I thought I heard that he wasn't going to be able to participate, but thanks
43 for looking out for everybody.



May 6, 2008

1 Unidentified
2 Sorry.

3
4 Council President Knapp,
5 That's okay.

6
7 Fran Abrams,

8 Good afternoon. For the record my name is Fran Abrams and today on the second day
9 as Interim Director of the Arts and Humanities Council, it's my pleasure to add my
10 support to the passage of Bill 13-08. Despite the fact that my testimony says 13-06. But
11 we'll get it together at some point. As you know, our former fearless leader for the past
12 ten years, Teresa Cameron, devoted countless hours to assuring the approval of the
13 original Arts and Entertainments District legislation and now, Montgomery County has
14 not one, not two, but three such Districts. Each of these Districts is at different stages in
15 its development as the cultural nexus, but without question, the encouragement of arts
16 and entertainment spaces in newly constructed buildings will be an important
17 component in all of them. Thank you for taking the necessary steps to make this
18 possible, and thank you for your continuing support for the arts and humanities.

19
20 Council President Knapp,

21 Thank you very much. There are no questions. Thank you. This concludes this hearing.
22 We now turn to, this is a public hearing on Expedited Bill 14-08 Forest Conservation
23 Advisory Committee – Composition, which would alter the composition of the Forest
24 Conservation Advisory Committee and generally amend the law regarding the
25 Committee. A T&E Committee worksession is tentatively scheduled for Monday, June
26 16, 2008 at 9:30 a.m. Persons wishing to submit additional comments should do so by
27 the close of business on Friday, May 30, 2008 so that your views can be included in the
28 material which staff will prepare for Council Consideration. Before beginning your
29 presentation, please state your name clearly for the record. We have one speaker, Stan
30 Edwards, representing the County Executive. Hello sir.

31
32 Stan Edwards,

33 Thank you. Good afternoon. My name is Stan Edwards. I am the Chief of Environmental
34 Policy and Compliance in the Department of Environmental Protection. Thank you for
35 the opportunity to.

36
37 Council President Knapp,

38 Thank you. Don't ever let it be said that we don't give the County Executive an equal
39 opportunity to share their perspective.

40
41 Councilmember Andrews,

42 That was the good part, right?

43
44 Stan Edwards,



May 6, 2008

1 Thank you for the opportunity to testify on behalf of the County Executive on Bill 14-08,
2 to amend the composition of the Forest Conservation Advisory Committee. The Forest
3 Conservation Advisory Committee was created by the County Council to advise the
4 Executive, Council, Planning Board, and any other relevant agency on forest policy
5 issues, review County programs related to trees and forest, and generally support the
6 development of effective tree and forest policies in the County. The Committee is made
7 up of representatives from a broad range of interests, including arborists and urban
8 foresters, representatives of the building industry, and members of citizen and
9 environmental groups. The Committee has recently been engaged in in depth
10 discussions on the proposed amendments to the County's Forest Conservation Law
11 and looks forward to playing an important role in the continued dialogue regarding these
12 amendments. In addition, the Committee recognizes that the Forest Conservation Law
13 does not apply in many instances where trees may be effected as a result of
14 development and plans to be actively involved in the development and discussion of
15 legislation targeting these situations. Beyond these regulatory issues, the Committee
16 has expressed an interest in promoting the value of the County's trees and forests and
17 educating the public regarding the protection and enhancement of these valuable
18 resources. The proposed expansion of the Committee to include a representative
19 owning a forest stand of at least two acres, and an ex-officio member from the
20 Department of Permitting Services, assures that the Committee is representative of all
21 the public and private sector interests effected by or playing a role in forest and tree
22 policies and programs in the County. It will help insure that the Committee provides the
23 best advice and guidance to the Executive, Council, and Planning Board. I'll be happy to
24 address any questions you might have about the Forest Conservation Advisory
25 Committee. Thank you.

26
27 Council President Knapp,

28 I see no questions. I'd just like to thank you for sending the legislation over. It addresses
29 some of the concerns I had raised as well and so I very much appreciate it and look
30 forward to working with the Committee and their recommendations as we address
31 Forest Conservation moving forward. Thank you. And our final public hearing for this
32 afternoon is a public hearing on a Special appropriation to the County Government's
33 FY08 Capital Budget and amendment to the FY07-12 Capital Improvements Program in
34 the amount of \$3,548,000 for Sidewalk and Infrastructure Revitalization. Action is
35 tentatively scheduled for Thursday, May 15, 2008. Persons wishing to submit additional
36 comments should do so by the close of business on Thursday, May 8, 2008 so that your
37 views can be included in the material which staff will prepare for Council consideration.
38 Before beginning your presentation, please state your name clearly for the record. We
39 have no witnesses for this hearing. That concludes this public hearing. Thank you very
40 much. That concludes our hearings for the afternoon. We now turn back to Council's
41 consideration of the budget. I believe our first item to return to is the Silver Spring
42 Library which we left at noon today in hopes that we would have some revised language
43 and some proposed budget numbers.



May 6, 2008

1 Councilmember Leventhal,
2 Mr. President.

3
4 Council President Knapp,
5 Mr. Chairman.

6
7 Councilmember Leventhal,
8 Clearly, we're just getting this language now.

9
10 Council President Knapp,
11 Right.

12
13 Councilmember Leventhal,
14 And my first question would be whether it is acceptable to the Councilmember from
15 District 5, but she's just seeing it now for the first time.

16
17 Essie McGuire,
18 I could summarize briefly the changes. There are not many.

19
20 Council President Knapp,
21 Ms. McGuire.

22
23 Essie McGuire,
24 The first change was to include one sentence regarding inclusion, integration with the
25 Fenton Village sector plan which the Council had requested. There's another change
26 that assumes that the project will, that the funds will complete conceptual design only
27 and so the reporting ends at conceptual design. There's another clarification that the
28 language applies to funds appropriated in FY09 or in previous years.

29
30 Councilmember Leventhal,
31 Okay. Thanks Essie. The bottom paragraph of this addendum which we've just received
32 says that the current recommendation for FY09 is 1.775 million. So, we're making no
33 change but we're not delaying any appropriation either.

34
35 Essie McGuire,
36 The, following consultation with the Executive Branch staff, the estimate is that there is
37 no appropriation necessary for FY09, that there is sufficient unencumbered
38 appropriation in the project for the Executive Branch to accomplish the conceptual
39 designs outlined in the text.

40
41 Councilmember Leventhal,
42 Are we keeping the 1.775 in the PDF?

43
44 Essie McGuire,



May 6, 2008

1 No.

2
3 Councilmember Leventhal,
4 Or are we deleting it?

5
6 Essie McGuire,
7 Deleting it. But again, that is in.

8
9 Councilmember Leventhal,
10 The Executive Branch is comfortable with that? Are they here to tell us that?

11
12 Essie McGuire,
13 They are.

14
15 Jacqueline Carter,
16 Yes. There was sufficient, Jacqueline Carter from OMB, there was sufficient
17 appropriation in the PDF to get us through the conceptual planning phase that the
18 Council requested we do. So, we don't need any additional appropriation in '09, but we
19 will need additional after that.

20
21 Councilmember Leventhal,
22 But what is in the PDF, I mean what is in the CIP now? Are we providing funds for this
23 in the CIP?

24
25 Jacqueline Carter,
26 The CIP actually had, it had enough funds to purchase land and it had some additional
27 funds that have been previously appropriated, so that's the funds, which would have
28 gone towards the design.

29
30 Councilmember Leventhal,
31 Okay. But the County Executive was promising that if we included the design money,
32 we might go to construction within the next two to three years, so I assume we'll just
33 deal with that in the next CIP two years from now, is that correct?

34
35 Essie McGuire,
36 Just to clarify, the Executive's recommendation to go to design and then to construct
37 that quickly was to complete more phases of design. These funds would, again, stop at
38 the conceptual level which is where the Council's discussion has been, to receive the
39 multiple concepts. And then at that point, the Council would review the concepts,
40 presumably selecting in conjunction with the community and the Executive one to go
41 forward. We would then need to appropriate design money at that time.

42
43 Councilmember Leventhal,



May 6, 2008

1 Can we get Glenn to tell us how this is going to fit with everything else in the CIP. I
2 mean, we're conveying to the community here that we're going to get a Silver Spring
3 Library, you're going to have all this input, it's going to happen soon, but there's no
4 dollars in the CIP. How does that work?

5
6 Jacqueline Carter,
7 We do have the dollars in the CIP. It's just a question of when you approve the spending
8 authority.

9
10 Essie McGuire,
11 Right.

12
13 Unidentified
14 Right.

15
16 Essie McGuire,
17 The CIP will have the same level of programmed expenditures.

18
19 Councilmember Leventhal,
20 Well remind us because we don't have the PDF in front of us.

21
22 Essie McGuire,
23 Sure. It's a total of \$25 million and 12 in the six year period and that is the Executive's
24 recommendation as well, to program capacity. Those are placeholder dollars for
25 capacity. The appropriation is the authority for them to spend in a given year.

26
27 Councilmember Leventhal,
28 Okay, I thank you for the reminder. So, there is capacity in the CIP.

29
30 Essie McGuire,
31 Yes.

32
33 Unidentified
34 Yes.

35
36 Councilmember Leventhal,
37 That we've already tentatively approved.

38
39 Essie McGuire,
40 Yes.

41
42 Councilmember Leventhal,
43 I apo, I thank you for the clarification. Okay. I have no other questions or comments. I
44 don't know.



May 6, 2008

1
2 Council President Knapp,
3 Okay. Well, all we had was to make this recommendation, this modification to the PDF,
4 and we don't have to make any modification of the actual expenditures within the CIP.

5
6 Essie McGuire,
7 Correct. We will clarify the appropriation and we will include the language in the text.

8
9 Council President Knapp,
10 Okay.

11
12 Essie McGuire,
13 If I could just clarify there were two other very brief technical issues before the
14 Committee related to the CIP this morning, I'm sorry, to the Council, and they relate to
15 reflecting lower than assumed state aid for the Silver Spring and Gaithersburg projects.
16 We need to reflect that total.

17
18 Council President Knapp,
19 Consistent with everything else in our CIP, that as, that reflects state aid I think. Okay.

20
21 Jacqueline Carter,
22 Just on the text issue, there was really no need to refer to funds appropriated in FY09
23 given that there isn't any, in the first line of the text.

24
25 Essie McGuire,
26 We could clarify that it's cumulative appropriation.

27
28 Council President Knapp,
29 Okay. Yeah.

30
31 Jacqueline Carter,
32 I mean, funds appropriated must be used, I think, -- because there's no appropriation
33 requested for '09.

34
35 Council President Knapp,
36 There's no specific appropriation for this year. It's just on a, existing on encumbered
37 funds.

38
39 Jacqueline Carter,
40 Carried forward.

41
42 Council President Knapp,
43 Right.



May 6, 2008

1 Jacqueline Carter,
2 From the prior years.

3
4 Essie McGuire,
5 Right. We, Council staff wanted, will clarify that it applies to --.

6
7 Council President Knapp,
8 Okay.

9
10 Essie McGuire,
11 That was the end.

12
13 Council President Knapp,
14 All right. I see no objection. Therefore, this line which will become a part of the Silver
15 Spring Library PDF and the appropriate changes will be made. Okay. Thank you all very
16 much. Thank you, Ms. McGuire and Executive staff for your efforts in getting that taken
17 care of. We now turn to our worksession on the FY09 Operating Budget Department of
18 Transportation. I turn to the Chair of the Transportation Infrastructure Energy and
19 Environment Committee, Councilmember Floreen.

20
21 Councilmember Floreen,
22 Thank you very much, Mr. President. I'll just note that our very quiet public hearing on
23 item number 12 which was a special appropriation for the Sidewalk and Infrastructure
24 Revitalization effort is, in fiscal year '08 is basically part of the Committee's effort, and at
25 the advice of Mr. Orlin, to take advantage of what resources are available.

26
27 Council President Knapp,
28 Right.

29
30 Councilmember Floreen,
31 To keep our promises on some of these initiatives. Mr. Holmes, do you want to come on
32 down? And let me ask at the get go if you've any opening comments?

33
34 Arthur Holmes, Jr.,
35 No, I think we should get into it. Long afternoon.

36
37 Councilmember Floreen,
38 Oh. How can you say that?

39
40 Council President Knapp,
41 We remain optimistic.

42
43 Councilmember Floreen,



May 6, 2008

1 It's not going to be a long afternoon. In any event, you have Glenn's memo before you
2 which summarizes a multitude of Committee worksessions and the main elements of
3 our decision making process are summarized on pages one and two. This approved
4 budget for DPWT was 45,353,280 in fiscal '08 and it goes up 7% for fiscal year '09.
5 We've tried to make some adjustments here as you will see. A couple of positions have
6 been either shifted or deleted. We have looked at the issue of smoothing out Ride On
7 passes. We've worked on Parking Lot District issues. We'll talk a little bit about that in a
8 few minutes. We have added a variety of elements to the reconciliation list with respect
9 to bikeway maintenance and some of our pedestrian initiatives. Those are the key
10 things that we would at least like to recognize as priorities. I doubt we can fund them but
11 at least we're trying to keep to the promises that have been made, particularly for the
12 pedestrian initiatives. There are really, there's really nothing new in this budget. There
13 were some positions that were approved last year to turn around the, move forward the
14 subdivision review obligation of DPWT, and they've been carried forward into this
15 budget, and of course, those positions have costs to them and they've been annualized.
16 There is probably, given the dollar situation and inflation, we think that the level of effort
17 in areas such as roadways repairs, tree maintenance, traffic signing, and marking street
18 light maintenance, et cetera, will be slightly reduced, and I don't know about my
19 colleagues, but this is the kind of issue that I received many concerns about from the
20 community, and I have no doubt that we will continue to hear those concerns if, under
21 the current budgetary situation. We did shift one of the positions, as you know, we're
22 rearranging DPWT and with that, we took this as an opportunity to shift the position of
23 the Deputy Director for Special Projects in this Department over to the Office of the
24 County Executive. That position will continue to function as a, I believe, as a special
25 project person, and we will have two Deputy Directors instead of three. With respect to
26 the road code.

27
28 Glenn Orlin,
29 Ms. Floreen, excuse me. Just as a technical point, this morning.

30
31 Councilmember Floreen,
32 Sure, and, chime in Glenn.

33
34 Glenn Orlin,
35 No, I'm sorry, just I want to remind you --, this morning, DPWT advised me that the
36 personnel cost for that position is actually 179,930 rather than 189,930. So we would be
37 shifting that amount from DPWT to the Executive's Office.

38
39 Councilmember Floreen,
40 Okay. So, the dollar amounts are off.

41
42 Glenn Orlin,
43 We'll change that in the system, but that's.



May 6, 2008

1 Councilmember Floreen,
2 By a little bit, so we will correct that.

3
4 Glenn Orlin,
5 Thank you.

6
7 Councilmember Floreen,
8 And please feel free to chime in, Glenn if I have missed anything.

9
10 Glenn Orlin,
11 Sure.

12
13 Councilmember Floreen,
14 Or something needs to be clarified. There was a position that the County Executive had
15 advanced for filling out, really interpreting the road code as it gets changed. We were
16 not persuaded that such a position needed to exist. Our view is that the whole point of
17 the road code revision is to eliminate the need for interpretation, have some clear ideas,
18 agreement as to what the rules are and hopefully avoid some of the interagency
19 disputes that have existed in the past. We remain ever optimistic on this score. Bikeway
20 maintenance, this is an area where we receive a lot of concerns from the advocacy
21 groups. In this regard, we listened and offered \$100,000 of operating expense to the
22 reconciliation list to keep bikeway maintenance at a little better level than is
23 recommended which is zero. The County Executive took this out of the budget. We're
24 sympathetic, we think at least we should make a good faith effort to try to do something.

25
26 Glenn Orlin,
27 Sorry, I'm going to have to interrupt again.

28
29 Councilmember Floreen,
30 On the reconciliation list, but actually, we added 500,000.

31
32 Glenn Orlin,
33 There you go.

34
35 Councilmember Floreen,
36 In two increments to the reconciliation list. Glenn is a little cheaper on this subject than
37 myself and Mr. Berliner. But again, it's on the reconciliation list. Parking outside the
38 Parking Districts, this is really an issue of enforcement. And it's a money maker. Yea!
39 What it was explained to, basically, these are people who check on the folks who violate
40 the neighborhood permitting programs with the addition of another individual which
41 we've proposed to add to the reconciliation list, we think it would really raise an
42 additional \$80,000 in revenue to the General Fund because, apparently, our people are
43 not following directions within the neighborhoods. So, this would both raise a little bit of
44 cash and help with the neighborhoods that have made such great efforts to preserve



May 6, 2008

1 their streets for themselves. Pedestrian safety initiative, as you may recall, County
2 Executive Leggett did announce a major initiative. However, apparently, fiscal
3 challenges have made it hard to move those things forward. So as a result, we added a
4 variety of elements to the reconciliation list, one \$375,000 for the reassessment of the
5 pedestrian signal timing issue in two parts of 200,000 and 175. This is a big issue,
6 particularly within, well, you know the number of pedestrian fatalities and accidents
7 we've been seeing. Many folks have said to us it is the timing, stupid, and we agree that
8 that's something to be looked at. Again, it's a question of reassessment. And I'll note,
9 looking at Ms. Ervin, I know this has been a very high priority, particularly in District 5.
10 We did have, in the CIP add money for, to enhance the sidewalk construction program
11 and, as I mentioned, at the get go, this Sidewalk and Infrastructure Revitalization CIP
12 item, which is a special appropriation, would help to a certain degree in that extent.
13 There are a couple of programs that we're not adding money for, but you should be
14 aware of. That's on page 6 of Glenn's memo. This is an, the issue of the service patrol
15 was tossed about for a couple of years and we were finally able to fund it, two years ago
16 Glenn? Is that it?. You will see that they, the whole point of this is to address congestion
17 issues by removing obstacles in the street, the accidents, disabled vehicles that can
18 create a tremendous backlog for the driving public. And what they're telling us,
19 basically, is that the numbers of vehicles pulled from the road have increased rather
20 significantly over this past year than the year before and that's good to know. Hopefully
21 our residents are seeing some benefit from this initiative. In terms of backlog of traffic
22 studies, we did add some additional dollars last year, and you'll be glad to know that
23 they have basically cut in half the backlog number. These are our residents who call or
24 write in about wanting a light, wanting a sidewalk, wanting something in their
25 community, and we put them on the list, and we get to them when we can get to them
26 and this assistance appears to have been pretty productive. Again, a major community
27 issue that has a process to be followed and, clearly, we're being able to do a better job
28 of responding to those constituent complaints than we have been able to do in the past.
29 Pedestrian countdown signals, this was a big splash, actually, under County Executive
30 Duncan. We added additional dollars for this last year, and the goal is to have all
31 County signalized intersections with pedestrian countdown signals for fiscal year 12,
32 and that continues on track. Homeowner's association road maintenance
33 reimbursement, this is really for Montgomery Village. Mr. Knapp, you will be glad to see
34 that they are continuing to getting some amount of reimbursement under this program.
35 No doubt, Montgomery Village does not feel that it is enough, and I'm sure that we will
36 hear from them in our meeting we're having in a couple of weeks up there.

37
38 Council President Knapp,
39 I'm sure there's always more we can do for the up County.

40
41 Councilmember Floreen,
42 Absolutely. Then we'll turn to the mass transit fund. I just wanted to note for the benefit
43 of my colleagues, everyone is very interested in transit and I have asked the



May 6, 2008

1 Department to present to us their plan for transit that we anticipate, at this point, I think,
2 Mr. Holmes, looking at that now in the fall. We'd hoped.

3
4 Arthur Holmes, Jr.,
5 Late summer.

6
7 Councilmember Floreen,
8 Late summer. Okay. We're going to hold you to that. And that will be an opportunity to
9 revisit some of our assumptions about bus service, about routes, about perhaps rapid
10 bus transit and other kinds of initiatives. It's one we've talked to Park and Planning
11 about certainly, this is not in the packet, but it's additional information that I think this
12 Council will be very interested in, understanding and working through. There is a plan,
13 but it is quite out of date, and it's time to revisit that.

14
15 Council President Knapp,
16 So we'll, if I may.

17
18 Councilmember Floreen,
19 We're on page 7.

20
21 Council President Knapp,
22 If I may Madam Chair, so that will look at kind of the existing current routes and look to
23 make different alternatives or.

24
25 Arthur Holmes, Jr.,
26 [inaudible].

27
28 Council President Knapp,
29 Microphone. Thank you.

30
31 Arthur Holmes, Jr.,
32 Go ahead Carolyn.

33
34 Carolyn Biggins,
35 Sure. It's an update to our strategic transit plan. And we'll get into the policy headways
36 for all the different types of bus routes and we'll have a discussion with you all about
37 those particular things and about ridership standards and route planning and that kind of
38 thing.

39
40 Council President Knapp,
41 So, I mean, one of the things I continue to be intrigued by is, I don't know, it's been
42 three years ago now that when you made the shift in Germantown to kind of a more, I
43 guess, hub and spokes model, if you will, where you actually allow people to traverse
44 the community and then have direct lines in and out of the community that link back up



May 6, 2008

1 with Shady Grove or other direct lines to other specific communities has been
2 amazingly successful.

3
4 Carolyn Biggins,
5 Yeah. Very successful, 20% increase in ridership from that.

6
7 Council President Knapp,
8 I don't know if that's because of the makeup of that community and that's the
9 characteristics – there, or if that's a kind of a model that we ought to be looking at for
10 other communities to kind of get people around their specific locale and then get them
11 connected to other places, but that would be something I would be very interested in
12 seeing how that experience would match up in other communities because it has been
13 so successful and it may just be unique to that community but I would be curious to at
14 least understand that in the course of looking at a broader strategic plan.

15
16 Carolyn Biggins,
17 We'll talk to you about Germantown phase 2 as well as Clarksburg plans as well.

18
19 Council President Knapp,
20 Okay. And phase 2 looks at broadening the existing route capacity?

21
22 Carolyn Biggins,
23 Yeah. Getting access into other neighborhoods that don't have service now.

24
25 Council President Knapp,
26 Good. Good. I mean, this isn't the year to be doing it, but it's always one of those things.
27 On the one hand.

28
29 Carolyn Biggins,
30 Need a depot first. Right. You know, but as we start to, as the gas price continues to
31 increase, more and more people are going to want to avail themselves, but if they can't
32 even get to the bus in the first place it kind of defeats the purpose. So, okay. Good. I
33 look forward to that.

34
35 Councilmember Floreen,
36 I think we will have a very robust conversation about the policy elements in this, and I
37 think if other people, we talked about it in the Committee and if other folks have points
38 that you want to make sure that the Department at least starts to think about, I think it
39 would be helpful. We will continue to talk about that.

40
41 Council President Knapp,
42 Councilmember Leventhal.

43
44 Councilmember Floreen,



May 6, 2008

1 Mr. Leventhal.

2
3 Councilmember Leventhal,

4 Yeah, I just wanted to comment on that, I mean, this, it seems to me is also the
5 opportunity, as the Chair mentioned, to really go into some depth about what capacity
6 we as the County have to expand bus rapid transit, what would be needed from the
7 state. I don't support bus rapid transit for the Purple Line but I do hope that we could
8 come up with an expedited plan for bus rapid transit on Georgia Avenue from Olney, on
9 Veirs Mill Road, and on the Inter County Connector. And I would think, as I mentioned in
10 Committee, but I'm saying here, and I know other Councilmembers, Mr. Elrich in
11 particular, have talked about this recently, that thinking about the Inter County
12 Connector, which I know some of my colleagues don't support, but assuming it is built, it
13 would seem to me that the County ought to be able to operate bus rapid transit fairly
14 simply. There will be segregated hot lanes, there will be opportunities for, you know,
15 express buses that the County wouldn't need a lot of help from the state. I said this in
16 Committee, but again, I'm just saying it here for the benefit of the whole Council, on
17 Veirs Mill Road and Georgia Avenue, those are state roads, there are lane changes,
18 there are median changes, there are significant physical plan changes that would need
19 to occur, but I would be interested in knowing, as part of this transit plan, what can the
20 County look to do itself, and then how much might be needed from the state and how
21 long range would that planning need to be.

22
23 Arthur Holmes, Jr.,

24 During the last administration, I did broach that particular subject. They were not really
25 up to helping us with the Veers Mill. You would know that there is a plan in place with
26 the Planning Board for the Georgia Avenue bus rapid, bus system I should say.

27
28 Councilmember Leventhal,

29 Indeed. And there's a lot of public community interest in it. It's just a state road, and we
30 couldn't do it all by ourselves, but there might be substantial things that we could do by
31 ourselves.

32
33 Councilmember Floreen,

34 So.

35
36 Council President Knapp,

37 Council Vice-President Andrews has comments.

38
39 Councilmember Andrews,

40 Thanks. I know that the state has not planned a separate bus lane on the ICC.

41
42 Glenn Orlin,

43 That's correct but.



May 6, 2008

1 Councilmember Andrews,

2 Oh, let me, that's right. [laughter]. No, but I don't think it's necessary. Because I think
3 with the high tolls, they will be congestion free. In fact, the state's goal is to charge tolls
4 at a level that keep it free flowing. It may be a little more free flowing than they would
5 like given the amount of tolls they'll need to charge to pay off the bonds, but I don't think
6 you'll need to have a separate lane for the buses. I think there will be plenty of capacity.

7
8 Glenn Orlin,

9 You're absolutely right. In fact, part of the ICC plan is for the state to provide a
10 considerable amount of bus service on the ICC once it's opened, which would be
11 running express across the ICC.

12
13 Councilmember Ervin,

14 Yeah. I just wanted to add to the conversation the issue of express buses because I
15 know that if you're riding in the morning rush hour, and then the evening rush hour, the
16 numbers of buses that you have to pass up that are so full you can't get on them, if
17 they're, and then when you're on them, it takes a long time because the bus stops so
18 often, so what are the plans for more express buses? I know they're very popular from
19 Silver Spring into the District of Columbia. As a matter of fact, I spoke with my
20 Councilmember from Ward 4 in the District last week, and she said that they've added
21 more express buses from Silver Spring into the District of Columbia, and they're very
22 popular so people can get to work and they don't have to stop, you know, 25 times
23 before they get there. So I just wanted to add my voice to the conversation about more
24 and more people are choosing to ride, but they have to wait a long time to get on the
25 bus, and then when they're on the bus, it takes double the time to get to your
26 destination, so I just wanted to add that.

27
28 Councilmember Floreen,
29 Carolyn, you want to?

30
31 Carolyn Biggins,

32 Well, we have experienced a 25% increase in ridership over the last four years, and that
33 does have an impact on our ability to load people quickly. We are constrained in our
34 depot capacity, so for the next few years, we really don't have an opportunity to expand
35 Ride On service.

36
37 Councilmember Ervin,

38 Yeah. That is the most unfortunate part of this budget conversation. Because, you
39 know, in the CIP, we were going to have to delay, or I don't know what we're doing with
40 that, with the bus depot, that is a whole another story, but at a time when folks really do
41 need alternative routes, or alternative methods to get around, and I can see that
42 ridership is up, and we don't have a lot of options if we don't build the bus depot, so we
43 can sit here and talk about policy all we want to, but we've got to pay for it. And anyway,
44 to be continued.



May 6, 2008

Councilmember Floreen,

And I think Carolyn's point is really important. Didn't you tell us that boardings have gone up 2 million every year? I mean, so that's what we're talking about, we're talking vast numbers. It really is terrific. Excellent. Excellent.

Council President Knapp,
Councilmember Elrich.

Councilmember Elrich,

I guess I would encourage the Department to consider options to provide interim capacity, in the absence of a bus depot. I mean, it seems to me that we do have some spaces which are underutilized where buses could be parked. There's been a discussion, for example, of one of the underutilized park and ride lots. I understand that, you know, that's not an ideal solution, but it seems to me that if it's an interim solution until a bus depot gets going and we can add the capacity to the system, we ought to be trying to add the capacity to the system, and I just think we need to be creative about how we might find some room in the interim. We're not talking about asking you to add 200 buses tomorrow but if we could start incrementally building up until the depot was ready, I think that would be a good thing.

Carolyn Biggins,

Our issue is not just about parking. Our issue is the maintenance as well. We have run out of room to maintain the buses at our EMOC garage. So it's not just a matter of parking them. So I just wanted to make that.

Councilmember Floreen,

And that's something we take responsibility for because we, they, when we first started and I will say, we were doing the Shady Grove master plan when poor DPWT got caught in the middle of that, they had proposed at that point a plan for reconstructing, basically, EMOC where it is, as you will know with the County Executive's presentation on rearranging everything there, now there was a plan to relocate their facility. We're still waiting for the exact timing of that, as I recall, and how it's to be paid for, but that is something that the Department has really journeyed on very aggressively over the years, and they got caught by some of these planning issues in terms of delaying their ability to service the fleet much less move to additional numbers.

Council President Knapp,

To that point, Madam Chair, we received a memo from the Executive of May 2nd talking about state transportation participation and North County Maintenance Depot.

Councilmember Floreen,
Very interesting, yes.



May 6, 2008

1 Council President Knapp,

2 It was, I was just kind of curious if anybody could enlighten us as to how this, where this
3 would fit. And I wasn't going to ask this, but everyone kind of went down that road so I.

5 Councilmember Leventhal,

6 Do we have copies of that memo for Councilmembers?

8 Council President Knapp,

9 It was just in our folder that was handed out to everybody. Not in this packet. It was just
10 in our material that gets distributed to each Council office each day.

12 Councilmember Floreen,

13 Let me, we, if you will recall in the, oh yes, if you will recall in the budget CIP
14 conversation, we put it in, and then we had to remove it.

16 Council President Knapp,

17 Right. It wasn't in initially.

19 Councilmember Floreen,

20 Well.

22 Council President Knapp,

23 It wasn't recommended by.

25 Councilmember Floreen,

26 It was not recommended by the County Executive, really, early years, Mr., we reviewed
27 it in Committee and struggled over a way to advance at least a portion of that.

29 Glenn Orlin,

30 The project had been programmed last time, and the Executive continued this funding
31 design of the facility and land acquisition. And in fact, all the money that the Executive
32 Branch needs in '09 is there.

34 Councilmember Floreen,

35 Yeah.

37 Glenn Orlin,

38 The question has to do with, there's no money for construction of it which would begin
39 at the earliest in fiscal year 10. The Committee initially considered adding all the
40 construction costs of the facility, then got into a discussion with the Department and
41 thought there was a possibility of having a first phase of it which would be somewhat
42 smaller than the full boat and that was the original Committee recommendation, was to
43 fund the first phase of construction which would be in fiscal years 10, 11, and 12, I



May 6, 2008

1 believe. And then, but the reconciliation back on April 8th, that came out because of
2 trying to make up some of the difference.

3
4 Councilmember Floreen,
5 So what Mr., the County Executive is not clear, I think what the County Executive is
6 proposing is that a source of funding for construction come from what we approve,
7 created some years ago called the state transportation participation project. That's
8 supposed to be related to a state initiative, which this is not. So this warrants some,
9 certainly, further conversation and I have no doubt the County Executive will come up
10 with a creative plan to finance this, maybe short time finance.

11
12 Glenn Orlin,
13 Well, I'm not sure why the two were necessarily linked in the memo but clearly.

14
15 Councilmember Floreen,
16 Neither are we.

17
18 Glenn Orlin,
19 What the Executive is requesting is, if there's space in reconciliation coming up next
20 week to fit the, at least the first phase of the depot back in, he'd like to see that, but it
21 wasn't part of his recommendation.

22
23 Councilmember Floreen,
24 It's an interesting concept.

25
26 Council President Knapp,
27 That was my, I guess, that was the question I wanted to raise is, given as I understood
28 the requirements for the state transportation project, would this qualify?

29
30 Glenn Orlin,
31 No.

32
33 Unidentified
34 No.

35
36 Council President Knapp,
37 I mean, would this type of, I mean, we're not, there's no part of it that we would do in the
38 anticipation of the state funding any portion of it.

39
40 Glenn Orlin,
41 I'm going to read the tea leaves here and tell me if I'm wrong, but what I read in this was
42 that the Executive would have rather have taken the money, if he were to take money
43 out of state transportation participation, use it for the depot rather than the southern
44 entrance to Bethesda. Is that what I'm reading?



May 6, 2008

1
2 Councilmember Floreen,
3 We're reading Mr. Leggett's memo on this subject.

4
5 Councilmember Leventhal,
6 Some of us don't have the benefit of having Mr. Leggett's memo, so if the Council's
7 going to continue the conversation, maybe staff could make copies of Mr. Leggett's
8 memo for other Councilmembers who might have an interest in this discussion.

9
10 Council President Knapp,
11 Yeah, we can get, I apologize, this was, I wasn't, this was just kind of a point of
12 information, so as we went down the road in a depot.

13
14 Councilmember Leventhal,
15 Well, it's not very informational to those of us who don't have copies in front of us.

16
17 Council President Knapp,
18 Sure.

19
20 Councilmember Leventhal,
21 So could we have copies made if we.

22
23 Council President Knapp,
24 Sure, we can get copies made.

25
26 Councilmember Leventhal,
27 Are going to continue to discuss it.

28
29 Council President Knapp,
30 Sure, get distributed to everybody.

31
32 Jacqueline Carter,
33 I think the intent was just that when we recommended the budget, we left the state
34 transportation participation PDF alone because we didn't, at that time, have projects that
35 complied with the nature of that PDF.

36
37 Councilmember Floreen,
38 We still don't.

39
40 Jacqueline Carter,
41 And we're just saying that if you, you know, you could take, pardon me? You could take
42 the money and use it for other things. I think that's all we're saying. We wanted to
43 consider using money in that project for other things. The North County Depot would be
44 one other thing you could use it for. However, our recommendation still is, we have the



May 6, 2008

1 North County Depot in for design only right now, and I think it's programmed,
2 construction would start most probably in 10, and that's when we would actually have to
3 program the money, after we went through the design phase.

4
5 Council President Knapp,
6 Councilmember Leventhal?

7
8 Councilmember Leventhal,
9 Okay, well, first of all, many thanks to Councilmember Ervin for having her staff make
10 copies of this memo which I'm eager to read. Council colleagues may recall that twice at
11 breakfast with the County Executive, I asked the County Executive what his plans were
12 for this state transportation participation program, and General Holmes, is this the
13 answer to that question? Because, let me just say, I don't have the numbers here off the
14 top of my head because we aren't, we're working on the Operating Budget, not the CIP,
15 but maybe Glenn can help me, what is the total amount of money? What was the total
16 amount of money in the CIP sent over to us by the County Executive for state
17 transportation participation? It was more than \$100 million.

18
19 Glenn Orlin,
20 Oh yeah, it was, I think it was \$164 million, but that included funds.

21
22 Councilmember Leventhal,
23 \$164 million of which some was programmed for Glenmont Garage.

24
25 Glenn Orlin,
26 Right.

27
28 Councilmember Leventhal,
29 Some was programmed for the Watkins Mill Interchange, if memory serves.

30
31 Glenn Orlin,
32 Right.

33
34 Arthur Holmes, Jr.,
35 There is a total right now of about 45 million of it that had been programmed, and I'm
36 trying to think.

37
38 Glenn Orlin,
39 There's 45 million that's been appropriated.

40
41 Arthur Holmes, Jr.,
42 Appropriated, yeah.

43
44 Councilmember Leventhal,



May 6, 2008

1 Okay. So of, so if there was 160 to start, 80 million in liquor bonds matched by 80
2 million in County dollars, 160 to start, of which 45 million was programmed. That leaves
3 115 million. Of the 115 million, 55 million was taken out by this Council to pay for
4 Bethesda South Entrance leaving \$60 million unaccounted for. I've been asking the
5 County Executive what are his plans for the \$60 million item in the CIP because I was, a
6 few years ago, a strong supporter of this initiative to work with the state to expedite
7 clearing bottlenecks. Because the primary bottlenecks that our constituents complain
8 about are not on County roads, they are on state roads.

9
10 Arthur Holmes, Jr.,
11 And we are.

12
13 Councilmember Leventhal,
14 And so I support this program, and I've been asking the County Executive, and he said
15 we'll get back to you, we'll get back to you, what was the status of the program. So, now
16 I'm reading for the first time this memo saying that the bus depot is a priority, of course it
17 is a priority, and there is apparently \$60 million unspoken for, which is sort of just a
18 placeholder in the CIP. And so I would not assume that you need to de-emphasize
19 Bethesda South Metro Entrance, there's still \$60 million, if it were the sense of this
20 Council to program that money into the bus depot.

21
22 Arthur Holmes, Jr.,
23 Sir, I'm not de-emphasizing the, that's Council, I would say Council issue.

24
25 Councilmember Leventhal,
26 It seems to me if my interpretation, I'm reading, if I may General Holmes, if I could just
27 retain my right to the floor, I'm actually not taking issue with you at all, General Holmes.
28 I'm responding to my good friend Glenn Orlin, so let me try to read the tea leaves, it
29 seems to me, and then General Holmes, I'll ask you to respond, it seems to me reading
30 the tea leaves that the folks over on the other side of the street have been looking
31 through what we got and what we didn't get, and they're saying, --we really need a bus
32 depot. How might we get one? Here's this \$60 million that hasn't been spoken for.
33 Maybe we could still do it, but before the CIP is done without reference or prejudice to
34 respect to anything else that's been done, including Bethesda South, and I agree,
35 maybe this would be a way to do the bus depot, but we would have to take it out of the
36 state transportation participation because it would not be consistent with that, and that's
37 actually a question to you General Holmes. Am I reading the tea leaves correctly?

38
39 Arthur Holmes, Jr.,
40 Well, certainly, there are funds there that could be used for the depot. I would not
41 indicate to you that the County Executive is doing anything. I'd have to go to OMB for
42 that. However, we do have other projects that we're working with on the state to use
43 part of the money as we had kind of originally planned for with state projects as you say,



May 6, 2008

1 but state projects that would reduce transportation congestion. So I cannot tell you that
2 the County Executive was, what he was doing as far as the \$60 million.

3
4 Councilmember Leventhal,
5 Okay, well, Mr. President, may I.

6
7 Arthur Holmes, Jr.,
8 I would ask, Jacqueline if she would.

9
10 Jacqueline Carter,
11 As I previously said, it was just to consider your alternatives. If you want to stick with the
12 intent of the PDF, the state transportation participation, you would leave the funds all in
13 there. If not, it could be considered as used for other things.

14
15 Councilmember Floreen,
16 Well, let me just say as the Chair of the Committee, and as a person who is active in
17 getting that arranged, this would be a very different use.

18
19 Council President Knapp,
20 Right.

21
22 Councilmember Floreen,
23 I'm not sure I, given the range of financing options that now appear to be considered
24 possible for some of our capital obligations in the transportation sector, I think it's
25 certainly worth the conversation about the things that we can fund and how we can fund
26 them and under what circumstances. I just don't think we're quite there at this moment
27 in time, and we can always visit this based on that conversation because, and Ms.
28 Barrett, when we talked about our short term financing solution for housing, assured me
29 that we could look at that for some of the state participation projects as well. So I think
30 there's an opportunity out there to visit the advancement of important projects. This
31 would certainly be one of them. But I do know there are other issues in terms of
32 conversations that I know the County is currently engaged in.

33
34 Arthur Holmes, Jr.,
35 Yeah, we have.

36
37 Councilmember Floreen,
38 For some other projects that are not right quite at the point of fruition yet to confirm. I
39 think yes, yes, yes, let's talk.

40
41 Councilmember Leventhal,
42 Okay.

43
44 Council President Knapp,



May 6, 2008

1 Councilmember Leventhal, did you have further?

2
3 Councilmember Leventhal,
4 I do.

5
6 Council President Knapp,
7 Okay.

8
9 Councilmember Leventhal,
10 I do. I've been here a few years now. And in my experience, if the County Executive
11 wants to add something to the CIP, he requests a CIP amendment, so I'm not sure what
12 this memo is doing. If the County Executive is asking the Council to include in the CIP,
13 the North County Bus Depot, I would suspect many Councilmembers would respond
14 favorably to that request. This memo is something less than that. So what is this?

15
16 Jacqueline Carter,
17 It is not a request for a CIP amendment.

18
19 Councilmember Floreen,
20 It's a memo.

21
22 Jacqueline Carter,
23 We have proposed the.

24
25 Councilmember Leventhal,
26 Just something to think about?

27
28 Jacqueline Carter,
29 Yes.

30
31 Councilmember Leventhal,
32 You might want to think about this. Well, and so how are we supposed to respond to
33 that? Just think about it. We're thinking about it now.

34
35 Councilmember Floreen,
36 We've got a big pile of memos to think about.

37
38 Councilmember Leventhal,
39 All right. Well, I would just ask Director Holmes, please, to provide the Council or to
40 work through Mr. Leggett's office to provide the Council with some clarity if Mr. Leggett
41 were to request a CIP amendment going above and beyond what was already in his
42 submitted CIP, which included paltry dollars for the North County Maintenance Depot. If
43 the North County Maintenance Depot addressed in this memo of May 2 is a priority for



May 6, 2008

1 the County Executive, the way things usually work around here, I think they worked this
2 way when Mr. Leggett was here for 16 years, was that he requests a CIP amendment.

3
4 Arthur Holmes, Jr.,

5 Sir, I will take your comments, and I will get back to the County Executive, and I will see
6 if I can relay those particular feelings. That's the only thing I can say.

7
8 Councilmember Floreen,

9 It's all he can do.

10
11 Council President Knapp,

12 Going through my mail last evening, I was struck by this, and then to have
13 Councilmember Ervin raise the issue of the North County Maintenance Depot, it
14 seemed that this was actually a time to interject this. It seemed kind of a request but not
15 really.

16
17 Councilmember Floreen,

18 It would be relevant.

19
20 Council President Knapp,

21 Councilmember Elrich.

22
23 Councilmember Elrich,

24 I guess, I'll add a further level of confusion.

25
26 Council President Knapp,

27 Oh good.

28
29 Councilmember Elrich,

30 I mean, first of all, in a non-confusing way, I'd like to say, I'd like to see this built. I don't
31 have any problem tapping into this as a source of funds, but given an earlier discussion
32 we had about the CIP and the way we were creatively going to fund all the things that
33 didn't fit into the CIP through the, what's the word for that thing, the reserve, the 300
34 however many million, hundreds of millions of dollars we were going to put into that
35 thing. That was supposed to be where we would get the money to do projects when
36 they were ready. Isn't this one of those projects that could have been pulled out of
37 there?

38
39 Councilmember Floreen,

40 Yeah.

41
42 Council President Knapp,

43 Could be.



May 6, 2008

1 Councilmember Trachtenberg,
2 Yes.

3
4 Councilmember Elrich,
5 In which case, we don't need any, I mean, theoretically, we don't need any more than
6 what we've got. Because I was told, we were all told that all the things that didn't make it
7 to the official list could all be done out of the big pile of money.

8
9 Glenn Orlin,
10 Oh, no, no, no, no, no, no.

11
12 Councilmember Leventhal,
13 May I, Mr. President? I mean, what we most certainly do need.

14
15 Councilmember Elrich,
16 Most of it could be done.

17
18 Councilmember Leventhal,
19 What we, Mr. Elrich, may I? Could a Councilmember respond before the staff could just
20 very briefly? Because, what we most certainly do need, is we most certainly do need an
21 official vote by the Council to do it. Only we appropriate dollars. Only we put things in
22 the CIP. So if we're being urged to think about something, that's something different
23 than actually voting for something. Generally, again I'm just repeating myself now, even
24 if it were paid for out of the reserve, generally if the County Executive wants something,
25 he submits a specific request for a supplemental. That's what I don't understand. He
26 knows that.

27
28 Councilmember Elrich,
29 Well, George, I'm going to share, I am a little baffled by this as well because we went
30 through and we said we came up with all these other projects that didn't fit in the \$300
31 million.

32
33 Councilmember Leventhal,
34 But they don't happen unless we raise our hand and vote for them.

35
36 Councilmember Elrich,
37 Right.

38
39 Councilmember Leventhal,
40 They can't.

41
42 Councilmember Elrich,
43 But.



May 6, 2008

1 Councilmember Leventhal,
2 The reserve doesn't enable, let, this is a very important point Marc, if I could.

3
4 Councilmember Elrich,
5 I know they don't happen unless we vote for them.

6
7 Councilmember Leventhal,
8 Right. The Executive Branch can't just go spend the reserve unless we approve.

9
10 Council President Knapp,
11 Hold on. George, Marc has the floor.

12
13 Councilmember Elrich,
14 This is what is a little bit bothersome to me because in that discussion, we said we
15 thought that we were going to be able to do these projects that didn't fit as they became
16 ready out of this other pot of money, and I raised my own concern that the money had
17 started out having a purpose, cost overruns, unforeseen things and then simply
18 increasing it by some tens of millions of dollars to come up close to or matching our
19 unfunded \$360 million. I was told, well, this is the way we're going to do it. So, if that's
20 the way we're going to do it, it seems to me that when we're ready they would come
21 back and say the design's done and ask us for a PDF to go pull the construction funds
22 and build the thing.

23
24 Councilmember Leventhal,
25 Right.

26
27 Councilmember Elrich,
28 Now, that was my understanding of the discussion. I'm not so vexed about it not being
29 here in a separate PDF because they said we'd just kind of ask for it when it's ready. If
30 that's the case, I'm not vexed, but if the money's not actually going to be there.

31
32 Unidentified
33 You are vexed.

34
35 Councilmember Elrich,
36 And we're not going to be able to do it, then I am vexed because the whole way we
37 escaped from, we really wish we could do all this stuff and we're not actually going to
38 have to make any hard choices and prioritize was telling us that we were just going to
39 put it all in this big thing that could be drawn on and that avoided some of these conflicts
40 about what belongs in each year's \$300 million.

41
42 Council President Knapp,
43 I would just say, I wouldn't say we didn't make any hard choices. There are five high
44 schools that we are not funding right now.



May 6, 2008

1
2 Councilmember Elrich,
3 That's yes.

4
5 Council President Knapp,
6 That were pretty significant choices at least on the part of a number of Councilmembers.

7
8 Councilmember Elrich,
9 But we're backing them up.

10
11 Council President Knapp,
12 Right.

13
14 Councilmember Elrich,
15 But the language that we discussed this in, you know, avoided some difficult things
16 because we were simply told, rather than saying, these are going to be in this year, and
17 other projects are out, that we were going to tap into this pool. As long as I think we can
18 tap into the pool for things that are ready like this depot, I'm a happy camper, but if I
19 can't go to the pool, then I'm not so happy.

20
21 Council President Knapp,
22 I would just.

23
24 Councilmember Floreen,
25 Okay. Let me just interject.

26
27 Council President Knapp,
28 Hold on. Hold on. Hold on, we've got a number of comments here.

29
30 Councilmember Floreen,
31 I'd like to have Glenn tell us when this would be ready to satisfy.

32
33 Council President Knapp,
34 Hold on.

35
36 Councilmember Floreen,
37 That objective.

38
39 Council President Knapp,
40 Hold on. I just wanted to.

41
42 Councilmember Floreen,
43 [inaudible].
44



May 6, 2008

1 Council President Knapp,

2 Just a second. The one point I would raise is that, yes, I think you're right. I think the
3 confusion is the memo, as to, and the source of funding for that project I think was the
4 point that I wasn't clear on, is the point I was trying to raise. Because, as I understood
5 when we did the state participation project there actually had to be a requirement for
6 state participation, so if there was another way to do something that I just wasn't aware
7 of that addressed it, because I don't think anybody didn't think there was a need for the
8 depot at the appropriate time. The question was, was this a new way to look at it that we
9 hadn't looked at before. And in light of the comments that were raised by
10 Councilmember Ervin, I thought it was interesting that I'd happened to read this last
11 night as going through my mail to put that on the table. And so I was just kind of curious,
12 but Dr. Orlin.

13
14 Glenn Orlin,
15 Sure.

16
17 Council President Knapp,
18 Both Councilmember Floreen and Councilmember Elrich's points.

19
20 Glenn Orlin,
21 Sure. The reason why the T&E Committee proposed the project be added to the CIP in
22 the first place was because it's in design now and it could start construction, if the
23 appropriation were ready, next year, fiscal year 2010. The worry was it's a lot of money
24 to be appropriated and a lot of money actually to be expended also in fiscal year 10 and
25 11 and some in 12, to do in an off-year of the CIP when you're not likely to revisit
26 spending affordability to a major degree. And so the worry was, anything big is going to
27 come in the next, either FY09 or FY10, ought to be on the table now. That's why it was
28 brought forward from here and from the Committee and originally the Council approved
29 but then again at reconciliation it was taken off.

30
31 Council President Knapp,
32 Councilmember Elrich, a follow up question, then Councilmember Leventhal.

33
34 Councilmember Elrich,
35 Yeah, I guess that confuses me then as to the fluidity of the money in the reserve,
36 because I, my assumption was that we had these numbers for each year but that
37 reserve could be gone to at any time and so, to me, it wouldn't matter if this is a big
38 project, it will be a big project two years from now in the proper year of the CIP project,
39 just like it would be a big project if we decided we wanted to do it next year.

40
41 Glenn Orlin,
42 The difference.

43
44 Councilmember Elrich,



May 6, 2008

1 But if we need to make a hard decision, would that mean moving money out of the
2 reserves and putting it into this year's CIP to fund this thing?

3
4 Glenn Orlin,

5 The difference is that you typically revise, at least historically, you've revised the
6 spending affordability guidelines in a major way every two years. I mean, next year, you
7 can make amendments to the guidelines. You can make an amendment to the FY10
8 guideline, but you're not going to be able to make a wholesale increase in the guidelines
9 except every two years.

10
11 Councilmember Elrich,

12 Okay. I, excuse me for belaboring.

13
14 Glenn Orlin,

15 That's why you're missing 10, fiscal year 10 is the.

16
17 Councilmember Elrich,

18 But if that's true, and 300 is our guideline, then what's the point of saying you've got 360
19 in here to spend in the reserve? I mean, because any, because tapping anything out of
20 that will put us above the guideline.

21
22 Glenn Orlin,

23 The 360 is for the six years total.

24
25 Councilmember Elrich,

26 Yeah.

27
28 Glenn Orlin,

29 So, if.

30
31 Councilmember Elrich,

32 But that's still 60 million a year more than any of what we've put in any one of the years.
33 And 60 million would be a lot. That would be 20% over what we've said we're putting in
34 any of the years. So, I don't get, either it's accessible money that we can use, or is it
35 going to put us over the guidelines and so we shouldn't use it?

36
37 Glenn Orlin,

38 No. It's not going to put you over the guideline if you stay within the reserves that you
39 have so far, and again, we haven't done final reconciliation yet. There may be a different
40 set of numbers that you'll see by the end of this week, early next week. We're working
41 on that right now, actually. And so I guess I would ask you to reserve judgment until
42 then to see what's possible.

43
44 Councilmember Elrich,



May 6, 2008

1 Okay, I mean, if you could get back to us with a memo and tell us like what the
2 implications would be of making sure we could build this next year.

3
4 Glenn Orlin,
5 Sure.

6
7 Councilmember Elrich,
8 I would like to know that.

9
10 Councilmember Floreen,
11 I think, Glenn, what we're hearing is that there's interest in the Council in trying to find a
12 way to make this work. So since this is part of the number crunching that will, let's make
13 this part of the number crunching that's going on and see if we can revisit some of our
14 assumptions with respect to.

15
16 Glenn Orlin,
17 Okay.

18
19 Councilmember Floreen,
20 The reserve.

21
22 Council President Knapp,
23 I think we're thinking about it, I think we would appreciate, to Mr. Leventhal's point
24 perhaps more than just a memo from the part of the Executive if they think it's
25 something that's ready to move forward. Councilmember Leventhal.

26
27 Councilmember Leventhal,
28 Thank you, Mr. President. I appreciate Mr. Elrich's questions. I did not think he was
29 belaboring the point at all. I think they are very important to clarify where do we stand.
30 We have a lot of things we want to do. We can't do them all in the timeframe we'd like to
31 have them done, and then in the midst, you know, we're almost done here with the
32 budget. We thought we were done with the CIP. And then we receive a memo, at the
33 bottom of the memo it says I. L. E. G. Who is E. G.?

34
35 Councilmember Floreen,
36 Edgar Gonzalez, I would guess.

37
38 Unidentified
39 Yeah.

40
41 Jacqueline Carter,
42 This was a collaborative effort by OMB and DPWT and the County Executive. I'm really
43 sorry if it's caused confusion, that was not what we planned to do. Our, the CE's



May 6, 2008

1 recommendation was, as I said, design, currently in design, and we would have found
2 the money in the set aside to program the construction, that was not an issue.

3
4 Councilmember Leventhal,
5 Only if we approved it.

6
7 Jacqueline Carter,

8 This has only come up because the Committee in discussions of use of funds in the
9 state transportation participation PDF was considering other uses for the funds in that
10 project. We thought, well, if you're considering other uses for the funds, one of the
11 considerations could be the North County Depot. This was in no intent to detract from
12 our ability to fund the project out of the set aside.

13
14 Councilmember Leventhal,

15 Okay, but, okay, that's helpful. That's much clearer than what this memo says. Look,
16 again, I don't want to sound vexed, I want to sound pleasing and calm and judicious and
17 we're all trying to make good policy, we're all on the same team, we're all colleagues,
18 I'm not trying to sound vexed, but I did ask the County Executive twice what were the
19 administration's plans for the state transportation program? And we've had Director
20 Holmes here assure us that there are discussions underway, and I understand
21 sometimes discussions are premature to be shared. I'm not demanding every detail of
22 every discussion, some of them may be tentative. But, we've had Director Holmes
23 assure us that there are discussions underway with the state to put these dollars that
24 we have set aside to productive use. As is Councilmember Floreen, I'm a strong
25 supporter of this program. I've seen it work in other jurisdictions. I've been told by
26 County Executives from other Counties that critically important projects would never
27 have gotten done if those Counties had not been willing to put their own dollars on the
28 table to make them happen. And so, we're waiting for very important state projects that
29 our constituents are tied up in traffic waiting for. I could name several of them, Georgia
30 and Randolph, Wisconsin Avenue and Cedar Lane, Watkins Mill and 270, those are
31 three that come immediately to mind. I'm not asking right now for an update on those.
32 Okay.

33
34 Arthur Holmes, Jr.,
35 [inaudible].

36
37 Councilmember Leventhal,

38 But I, and all Councilmembers, are very interested in seeing progress on those. Twice I
39 asked the County Executive, what is happening with this state transportation program?
40 The Committee was not persuaded that the dollars were being, that all of the dollars, all
41 160 million of the dollars were being put to use. If in fact, E.G. is making a backhanded
42 comment that well, if you're going to do Bethesda South, you might as well do
43 something else that's unrelated to state transportation, why don't we just be clear about
44 that. If this is a backhanded way of saying we don't really support Bethesda South



May 6, 2008

1 Metro Entrance, well, that's not what I'm hearing. That's not what I understand it to be,
2 but this is a passive aggressive approach to asking the Council to program dollars.
3 We're the only ones who can program dollars. Nothing happens unless we agree to it.
4 So if the Executive Branch wants to move ahead with the North County Bus
5 Maintenance Depot, I would suggest that the only way to get that done is to be clear
6 about it and to ask us for it. And I would vote for it. But let's be clear. Let's talk about
7 what we actually want and what we're actually doing. Instead of memos that seem to,
8 you know, that we all have to read tea leaves and interpret what are you really saying?
9 Is this a backhanded criticism of the County Council for doing something with dollars
10 that didn't appear to be being put to good use? I don't, you know, I'm not smart enough
11 to figure this out. Could you please speak plain English?

12
13 Council President Knapp,
14 Councilmember Trachtenberg.

15
16 Councilmember Trachtenberg,
17 Thank you, President Knapp. Well, this is a very constructive conversation, and it brings
18 to mind another topic that's been on my mind for weeks, which is the overall priority of
19 building capacity and clearly developing a Depot, North County is part of how we do that
20 but only part. Obviously, down the road we really do need a comprehensive strategy
21 and wouldn't this state transportation participation project be a reasonable way to fund
22 such a strategic plan. So, I guess my question is of you, Colonel Holmes, which is, can
23 we, or General, excuse me, could we, Colonel first, General today, okay, all right. Well,
24 could we talk a little bit about that, about that kind of strategic plan and the fact that we
25 would benefit from that, rather than have these piecemeal conversations. Because
26 again, I think the idea here is that we want to see public transportation use increased,
27 we understand the depot is part of that, but there have got to be other things we can do
28 to increase that capacity as well.

29
30 Arthur Holmes, Jr.,
31 [inaudible]. Ms. Floreen indicated, for the last four years, I've been talking about doing
32 something to make sure that we could go past the restrictions that we have at EMOC.
33 And that is the North County Depot. The suggestion that Councilman Elrich indicated
34 was trying to find other places to put the buses. You know, there are a number of things
35 that you can think of, but right when you get down to it, what we need is another depot.
36 That's the bottom line. Well, you say ask for it.

37
38 Councilmember Leventhal,
39 Wasn't fully funded in the Executive's CIP. We get a weird memo.

40
41 Council President Knapp,
42 Hold on. Hold on. Hold on. Hold on, Councilmember Trachtenberg still has the
43 floor.



May 6, 2008

1 Arthur Holmes, Jr.,
2 I understand.

3
4 Council President Knapp,
5 Hold on. Stay focused. Stay focused.

6
7 Arthur Holmes, Jr.,
8 I understand that it's not in the CIP. The County Executive, because of, I'm sure, of
9 resource constraints put in there the design, and that's a step forward. Would we like to
10 go to construction? Certainly. But I can't sit here today and refute what's in the County
11 Executive's letter. I don't have that kind of authority.

12
13 Councilmember Trachtenberg,
14 Well, I understand that, but again, my point is that I certainly think there's a collective
15 agreement here within this body that we'd like to see something like this be done, but
16 what I'm suggesting to you is that I think there are other things that have to be part of
17 the strategy, and there seems to be some resistance to talk about other things beyond
18 the depot, and I don't understand why.

19
20 Arthur Holmes, Jr.,
21 Well, I'm, you say you have other things, I'd like to have that discussion with you
22 because I'm, except to get some additional maintenance capability, except to get some
23 additional parking capability, I don't know what else we can do to expand the fleet.

24
25 Councilmember Trachtenberg,
26 Well, one thing I've raised before has been the utilization of park and ride lots
27 throughout the County. I had raised it, I believe, once or twice before and I wonder if we
28 could revisit that again. This afternoon is not the appropriate time to do it, but my point
29 simply is that I would like to see us develop a multistep plan to.

30
31 Arthur Holmes, Jr.,
32 You indicate, it seems very natural that you might be able to use the park and ride lots,
33 but you're just parking buses and when you park them.

34
35 Councilmember Trachtenberg,
36 Right.

37
38 Arthur Holmes, Jr.,
39 There's another element here.

40
41 Councilmember Trachtenberg,
42 Right, which is the maintenance element.

43
44 Arthur Holmes, Jr.,



May 6, 2008

1 That's right and we.

2
3 Councilmember Trachtenberg,
4 And I understand that.

5
6 Arthur Holmes, Jr.,
7 And we don't have the maintenance capability, so if you park them, what you're going to
8 have are dead line buses, so really I'd like to have the discussion with you. If you have
9 some ideas, god knows I'm willing to talk about them, but right now, if I were to say what
10 is the primary thing, it is to get additional maintenance and parking capabilities.

11
12 Councilmember Floreen,
13 And let me just say that hopefully, this particular point will be part of our transit plan
14 conversation.

15
16 Arthur Holmes, Jr.,
17 Well, that's right.

18
19 Councilmember Floreen,
20 It's all obviously intrinsic to ability to operate and to expand.

21
22 Council President Knapp,
23 Well, after our brief diversion, we return back to the FY09 Transportation budget.

24
25 Councilmember Floreen,
26 Okay. Back to the mass transit fund, and I just point out that this fund is technically, the
27 dollars associated with this are actually down a little bit, of course there have been
28 some budgeting issues, transferring things from operating to the capital budget who
29 changed, that have changed the math. So, we won't get too hung up on that. I will point
30 out that also, again, we had a contract provided small bus service last year, I think it
31 was, we rolled into the County operations and that's accounted for some, obviously, we
32 knew this would happen, but some significant costs that the Department is managing.
33 With respect to, there are a variety of, if you look at the top of page 8, there are a
34 number of service positions that have been eliminated, 1.8 million, Police Department
35 ride along program, senior outreach specialists, program managers, and some
36 annualization of service cuts. The County Executive does propose to reduce the Fare
37 Share program and reducing the Super Fare Share program, the Committee doesn't
38 agree with that and we found a solution. The bus service, there is a report basically on,
39 from the worst to the best, the effectiveness of Ride On routes on weekdays, Sundays,
40 and Saturdays in terms of riders per hour. You can take a look at that. If anyone has
41 any questions, you can share that with the Department. There's an update on the bus
42 shelter situation. For the newer Councilmembers, this was a deal we cut to get rid of
43 billboards in Silver Spring with a translation into new shelters some of which would carry
44 advertising. Shelters have been installed under that agreement since that was first



May 6, 2008

1 agreed to. It is not, it's slowed down a bit. We understand that all 400 that were agreed
2 to will be in place later this year, and there's some additional, 100 non-ad shelters that
3 are required and will be installed. So this is also a revenue sharing issue with the
4 County. They expect revenue coming in at \$600,000 in this category this year. We hope
5 they're right. But they have made a significant improvement, I think, to the riding
6 experience for our residents. It's a comfortable and clean environment.

7
8 Council President Knapp,
9 Would it be possible for us to get a copy of where the ad placed, and the non-ad placed
10 ones are.

11
12 Councilmember Floreen,
13 There was a list.

14
15 Council President Knapp,
16 Wherever that is. I'm assuming it exists someplace. I'd just be curious.

17
18 Glenn Orlin,
19 There is.

20
21 Councilmember Floreen,
22 There was a list before so it must exist.

23
24 Glenn Orlin,
25 I have it. I have it.

26
27 Council President Knapp,
28 You have it? Okay.

29
30 Glenn Orlin,
31 Yeah, it was part of the settlement agreement with Clear Channel.

32
33 Councilmember Floreen,
34 Yeah.

35
36 Glenn Orlin,
37 Okay.

38
39 Councilmember Floreen,
40 Yeah.

41
42 Council President Knapp,
43 Thank you.



May 6, 2008

1 Councilmember Floreen,

2 I think the desire was to keep those, the shelters with the advertising on it in more
3 heavily travelled areas and keep them out of the neighborhoods. That's the hope. Bus
4 advertising, that is something where the County Executive has moved on that. We
5 haven't heard any complaints and they anticipate revenue of \$225,000 next year. Let's
6 hope with the increased riderships that revenue will go up because the advertisers will
7 see the benefits of that market. The County Executive, as I said, proposed a, eliminating
8 the Fare Share and it's reducing the Super Fare Share program, right, Glenn?

9
10 Glenn Orlin,
11 Correct.

12
13 Councilmember Floreen,

14 We, and the deal is basically, the County helps, works with the businesses to help buy
15 down the cost of transit fares. It's a, basically, a cooperative agreement between the
16 government and private industry. And it's available to any private sector employer in the
17 country. There are some variance of this in Wheaton and Montgomery Hills. And it's, the
18 Super Fare Share is the most generous program, only available where there is an active
19 Transportation Management District which is in the, basically the transit station areas,
20 Bethesda, North Bethesda, Friendship Heights, and Silver Spring. The County
21 Executive, as I said, recommended eliminating all funding for the regular Fare Share
22 program for the Wheaton version and the Super Fare Share program in Friendship
23 Heights. We did not feel that that was appropriate and we recommended putting that
24 back on the reconciliation list. We did that, didn't we Glenn, really by the Parking
25 District?

26
27 Glenn Orlin,
28 Yeah.

29
30 Councilmember Floreen,

31 Transfers, I'm not sure that we have connected the dots efficiently on this. It occurred to
32 me as I read this memo this morning.

33
34 Glenn Orlin,

35 Yeah, in the discussion about the Parking District, it mentions the reason why the
36 Committee wanted to recommend diverting some funds from the Parking Districts to
37 help pay for the Urban Districts which would free up some General Fund money, was to
38 be, essentially as an offset to be able then to add that money back on, add this money
39 back to the reconciliation, into the budget.

40
41 Councilmember Floreen,

42 So, that is really how we would propose to fund that.

43
44 Glenn Orlin,



May 6, 2008

1 Right.

2
3 Councilmember Floreen,

4 It's really, although it doesn't say that directly, that was the intent of having Glenn revisit
5 the bookkeeping there to show a direct relationship. So our view, it's not really that
6 we're adding it to the reconciliation list, rather that we have funded it through a different
7 approach. Wouldn't you agree, Mr. Leventhal and Mr. Berliner?

8
9 Council President Knapp,

10 He would like to speak, he would like to actually chime in.

11
12 Councilmember Floreen,

13 I think he'd like to weigh in, yes.

14
15 Council President Knapp,

16 He would.

17
18 Councilmember Leventhal,

19 I do. I do very much agree with the Chair and I appreciate her highlighting this point and
20 I just want to, now that she's highlighted it, I want to underscore it.

21
22 Councilmember Floreen,

23 Okay.

24
25 Councilmember Leventhal,

26 Because, particularly for the Council President's benefit because we believe we've paid
27 for this.

28
29 Councilmember Floreen,

30 Yes.

31
32 Councilmember Leventhal,

33 So that when.

34
35 Councilmember Floreen,

36 The T&E is self-sufficient.

37
38 Councilmember Leventhal,

39 So that when we respond to the Council President's request that each of us identify
40 those items on the tracking sheet that are of greatest interest to us, know that, at least
41 in my mind, this item is paid for with some of the Parking District changes we make. So,
42 it is a high priority. This does, I do, Glenn's done an excellent job as he always does, but
43 one of the things he did not include was a response to my question here, which is what
44 would be the effect of losing this program, which we did get a response to? But, if



May 6, 2008

1 memory serves, we would lose, we would put about 300 additional cars on the road, if
2 memory serves, in our most congested areas as a result of giving up this program. And
3 it is certainly true that, you know, it costs money to incentivize people to do what we
4 want them to do, but if one of our goals is to reduce vehicle miles traveled, it may cost
5 some money to provide the incentives to do this. This a long standing program and I
6 was sorry when I learned, in response to my question in Committee, that the Executive
7 Branch had proposed to eliminate it without doing any estimate whatsoever of how
8 many cars would be put back on the road if the program were eliminated. In response to
9 my question we got an estimate on that. It has been a successful program that does in
10 fact persuade some significant number of employees to ride transit rather than using
11 automobiles, which I think is something we want to encourage.

12
13 Glenn Orlin,

14 And the Committee's direction, if I can say it, is on the middle of page 12 when you get
15 to parking, you'll see it. In that first paragraph under parking reserves, the last sentence,
16 the Committee directed staff to develop a recommendation that would generate enough
17 resources to restore Fare Share and Super Fare Share programs.

18
19 Councilmember Floreen,
20 Yeah.

21
22 Glenn Orlin,
23 [inaudible].

24
25 Councilmember Floreen,

26 So, we do view, we really don't view this as a reconciliation list item, we just view this is
27 a wash. Yes, yes. We've already contributed a few things to the General Fund in our
28 recommendations but not this one. Then, moving on to transit passes. Basically, the
29 County, there's a two-week unlimited Ride On pass. Basically, let's see, how is this
30 going here? Basically, what we're agreeing in eliminating the two week unlimited Ride
31 On pass with an unlimited Ride On pass that's a monthly pass costing \$25. The price
32 would go up a little bit but it's still a significant discount. And in the goal of trying to make
33 things consistent, there's a 20-trip Ride On ticket that the County Executive's proposing
34 to raise the rate on. Currently, it costs \$20, he's proposing to raise it to 27. What we are
35 recommending is that we raise that cost to \$25. That's the same price as 20 rides with
36 the smart card, and we think that will help in getting our ridership comfortable with a \$25
37 cost of these cards basically. Ultimately we do hope, and we asked, should we just go
38 right to the smart card at this point, as you know, that's the card that funds everything
39 and is pretty fungible with other transportation initiatives. The Department thought it was
40 a little too quick to put all our bus riders in a situation where they had to buy the smart
41 card, but we want to encourage that. We think this is a relatively comfortable approach.
42 Mr., Carolyn, Mr. Roshdieh, did you have any more to add on this one? Ms. Ervin.

43
44 Councilmember Ervin,



May 6, 2008

1 I do have a comment on that. What kind of conversation did you have on Committee
2 about the impact of this of cutting Fare Share?. This is what happens when policy
3 makers decide tough budget years that we're just going to cut 2% off the top or
4 whatever the percentage was that you guys took as a cut because these cuts are
5 significant to how people's behaviors is tied to their ability to ride transit. So I just really
6 can't understand why you say out of one side of your mouth that this is a very important,
7 you know, transit's very important to the County, and then you cut Fare Share. I'm not
8 quite sure where you're going with this and the same conversation that I don't care to go
9 into again that we just finished about the bus depot, we're saying a lot of things but our
10 actions are not lining up. So what is the impact of this?

11
12 Carolyn Biggins,

13 Well, based on the question Mr. Leventhal had asked us, we estimate that it's about 200
14 people actually who would be effected by the cuts in Fare Share. But if I could explain a
15 little bit why we went to Fare Share, we were trying to stay away from things that directly
16 impact people in their transit service. You'll remember we had bus route cuts in fiscal
17 '08. We were trying not to go back to things that are so basic to people's abilities to get
18 to work or to get to their doctors' appointments. Most of our budget is in the Ride On
19 service. There isn't a lot extra that we can go to. We looked at other programs and Fare
20 Share across the County is funded with County tax dollars, and Super Fare Share in
21 Friendship Heights is funded with County tax dollars. The TMDs in Bethesda and North
22 Bethesda, for instance, have Parking Lot Districts which pay for their Fare Share, their
23 Super Fare Share programs. So, those were left alone, but that was basically our
24 strategy. We're not saying it's not a good program. It is a good program. However,
25 employers still have the tax benefit of \$115 per month that they can provide and that
26 they can take as a result of the federal legislation that was passed. So we were looking
27 at a cut of least impact is what we were looking for.

28
29 Councilmember Floreen,
30 Mr. Leventhal, did, was that.

31
32 Councilmember Leventhal,
33 Well, for your.

34
35 Councilmember Floreen,
36 Were you done Ms. Ervin?

37
38 Councilmember Ervin,
39 Yes.

40
41 Councilmember Leventhal,
42 If I'm understanding correctly, I do think this is an important point, according to the
43 memo on page 9, there are about, between, okay, so there's 500 employees total that
44 are getting the benefit. That amounts to, we're talking a little less than a thousand



May 6, 2008

1 dollars per employee. Of those, when I asked who would not ride transit anymore, there
2 were 200 who might actually change their behavior and go back to driving cars. So it
3 benefits 500 people. Is it a good expenditure of \$1,000 for the County to incentivize
4 someone not to drive a car to work and take the bus? That's a question, I mean, it's a
5 valid question to ask. How does it fit with other priorities we have? Do we measure it by
6 those who absolutely, you know, are we giving away money for something that it doesn't
7 matter, someone would take the bus anyway? But I don't think any of that analysis has
8 gone into this.

9
10 Arthur Holmes, Jr.,

11 Sir, yes, yes it did. I think you're saying that we're not concerned and we're not
12 considerate. We are. But we had to make hard choices. We had some bus routes we
13 had to cut. If you have a cut list, then some things are going to go. It's not that we
14 wanted to cut Fare Share, Super Fare Share, but it was an item that we could cut or we
15 could cut another bus line.

16
17 Councilmember Leventhal,

18 Right. There have to be cuts. I understand that. I just wanted to clarify, when.

19
20 Arthur Holmes, Jr.,

21 But I'm just saying.

22
23 Councilmember Leventhal,

24 When Carolyn said it was 200 people, it's about 500 people.

25
26 Arthur Holmes, Jr.,

27 Well.

28
29 Councilmember Leventhal,

30 Of whom the Department responded 200 would be those who would actually change
31 their behavior and go back to driving. So what we've done now is we've proposed, the
32 Committee has proposed, bring the program back, pay for it out of parking meters.

33
34 Arthur Holmes, Jr.,

35 Sir, and we're very happy with that.

36
37 Councilmember Leventhal,

38 Seems to be good policy.

39
40 Arthur Holmes, Jr.,

41 That's where we are. I'm not arguing with you about what you've done. I think it's a good
42 thing, it's a good program, and we found a way to continue it.

43
44 Councilmember Leventhal,



May 6, 2008

1 I'm not arguing with you either Art. Carolyn said it was 200 people, the actual number of
2 beneficiaries is 500. It's 200 who would have changed their behavior. That's all.

3
4 Councilmember Floreen,
5 Okay.

6
7 Council President Knapp,
8 All right. Moving right along.

9
10 Councilmember Floreen,
11 Moving on page 10. There's some information with respect to what's more cost
12 effective, Ride On Bus service rather than Metro bus service. This was an inquiry this
13 was raised several years ago and we're, I think it's kind of a helpful exercise. The jury
14 says Ride On.

15
16 Glenn Orlin,
17 Could I just add, just following from Mr. Elrich and Ms. Trachtenberg's point earlier
18 about how can we increase transit service in the interim before the depot is ready, one
19 limited possibility is to buy more non-regional Metro service, Metro bus service.

20
21 Councilmember Floreen,
22 Yep.

23
24 Glenn Orlin,
25 There is not that much of it that's available but that's something that could be explored.
26 It would cost, these numbers tell you that it would be 25% more than if it were Ride On,
27 but since we can't get more Ride On service, the question is can we do this on certain
28 routes where there is Metro bus service? So, maybe that can be part of the exploration
29 this summer.

30
31 Councilmember Floreen,
32 So, that's a fair point, absolutely. And yeah. Good point, thank you.

33
34 Glenn Orlin,
35 Because there are depots in White Flint and it's.

36
37 Councilmember Floreen,
38 Thanks for raising that, Glenn.

39
40 Glenn Orlin,
41 Yep.

42
43 Councilmember Floreen,
44 Okay, and then unless there are more questions on this.



May 6, 2008

1
2 Council President Knapp,
3 Seeing none, move along.

4
5 Councilmember Floreen,
6 General issue, we're clearly, ah.

7
8 Glenn Orlin,
9 This is actually the time we probably should take up this morning's Consent Calendar
10 item.

11
12 Councilmember Floreen,
13 Oh, we can talk about the, yes, that's right. This is the Ride On Bus fleet initiative
14 amendment on our Consent Calendar that was delayed. This is a proposal to really
15 amend the '08 budget for a new Ride On Bus fleet project. It would be, we're delighted
16 to hear of the creative financing approach that the Department is investigating here.
17 They've proposed to fund the \$12 million appropriation to be financed five years, over
18 five years for the short-term debt. We had a extensive and rigorous conversation with
19 respect to what are the best kinds of buses to buy. And I say we certainly benefited from
20 Mr. Berliner's expertise and focus on the CO2 issues in evaluating the numbers of
21 pollutants generated by either clean diesel, biodiesel, or hybrid buses. And there is a
22 very extensive chemistry analysis on page 3 that evaluates both the emissions issues
23 and the costs associated with those emissions. It's a pretty sophisticated piece of work
24 and we are grateful to the staff for being able to put that together. At the end of the day,
25 we split the baby, however. And there are 81 buses at issue. What we ended up
26 proposing is that the '08 project focus on clean diesel because the cost of the hybrids is
27 more significant. What we do recommend is that in '09 we would be looking at hybrids.
28 But for the purposes of this particular amendment to the CIP, we would recommend that
29 the money be devoted to, is it 41 or 42?

30
31 Glenn Orlin,
32 42.

33
34 Councilmember Floreen,
35 42 clean diesel buses.

36
37 Council President Knapp,
38 Councilmember Ervin.

39
40 Councilmember Ervin,
41 Yes, I have a question about how DPWT assigns new buses to depots and, specifically,
42 do depots near residential or environmentally sensitive areas receive new diesel or
43 hybrids first?
44



May 6, 2008

1 Councilmember Floreen,
2 An age-old question.

3
4 Arthur Holmes, Jr.,
5 Well, what we've done with the hybrids is, you know, we've sent those down south
6 because we can't put the CNGs there because we can't fuel them there. So there is that
7 kind of an allocation done. If we were to get hybrids, they would probably go to the
8 southern depot. And the clean diesels would go down to the southern depot because
9 we can't put CNG in that particular place.

10
11 Councilmember Ervin,
12 Well, I'm asking that because we share a concern about a particular area in my District.
13 I know you know that.

14
15 Arthur Holmes, Jr.,
16 I'm working on that particular area as we speak.

17
18 Councilmember Ervin,
19 All right. Thank you.

20
21 Councilmember Floreen,
22 Anything else, Mr. Berliner?

23
24 Council President Knapp,
25 Nope. So the funding mechanism is short-term debt, and what's the actual, we identified
26 what short-term debt? Just whatever makes the most sense? I understand there are a
27 number of alternatives available to us.

28
29 Glenn Orlin,
30 It's a five-year, it's a five-year, how do you want to characterize it, a short loan, bond?

31
32 Councilmember Floreen,
33 It's taxable debt.

34
35 Glenn Orlin,
36 Jackie, do you want to speak to that?

37
38 Councilmember Floreen,
39 Taxable bonds, right? We love this approach. I do at least.

40
41 Jacqueline Carter,
42 The original plan was to purchase the buses through the County's master lease
43 program. And the Director of Finance determined that this was too large an amount to



May 6, 2008

1 finance that way. And so short-term financing was proposed. And with the decision to
2 purchase the more expensive buses, the plan is to debt finance those as well.

3
4 Council President Knapp,
5 Five years and so we'll pay that off over a five-year period. The thing I'm always
6 interested in, so it doesn't.

7
8 Jacqueline Carter,
9 It affects your debt capacity ratios.

10
11 Council President Knapp,
12 Right.

13
14 Jacqueline Carter,
15 It increases your debt service.

16
17 Council President Knapp,
18 Right. So with this in conjunction with the other, we've obviously got a fair amount of
19 debt service, so I think that this would be a fairly negligible increase to that but I would
20 defer to the man who actually looks at all of those things.

21
22 Glenn Orlin,
23 Actually, Jackie.

24
25 Jacqueline Carter,
26 Actually, with the way it's planned in terms of when the funds will be appropriated and
27 then when we'll start to pay the debt, it will impact FY10's debt service. It won't impact
28 FY09.

29
30 Councilmember Floreen,
31 It's 18 months delayed or something like that? Yeah.

32
33 Unidentified
34 Twelve months.

35
36 Councilmember Floreen,
37 It's a wonderful thing.

38
39 Council President Knapp,
40 Okay. All right.

41
42 Glenn Orlin,
43 You can pay debt at least a year later. So you'll be paying debt in fiscal years 10, 11,
44 12, 13, and 14.



May 6, 2008

1
2 Council President Knapp,
3 Okay.

4
5 Councilmember Floreen,
6 So, yeah. We've been learning a lot about how we can pay for these.

7
8 Glenn Orlin,
9 But what's Jackie's saying is that.

10
11 Councilmember Floreen,
12 So we're quite full of optimism about capital expenditures at least.

13
14 Glenn Orlin,
15 What Jackie's saying is, remember spending affordability indicators that we used for the
16 CIP and one of them is the percentage of the operating revenues which is debt service.
17 This does feed into that numerator. Remember, we're trying to stay below 10%. If we go
18 with all the Executive's recommendations for short-term financing, by the end of fiscal
19 year 14, we're slightly above 10% but in fact.

20
21 Council President Knapp,
22 Okay, I guess that was the point I wanted to try and get to.

23
24 Councilmember Floreen,
25 Okay.

26
27 Council President Knapp,
28 So, it's out of the overall GO Bond debt calculation but it's still.

29
30 Glenn Orlin,
31 Still, we're counting for it.

32
33 Council President Knapp,
34 Counts up against the cap.

35
36 Glenn Orlin,
37 Yep.

38
39 Council President Knapp,
40 And so, okay, so that's something we're going to have to watch.

41
42 Glenn Orlin,
43 Yep.



May 6, 2008

1 Councilmember Floreen,
2 Sure.

3
4 Council President Knapp,
5 Okay.

6
7 Councilmember Floreen,
8 Okay. With that, the Parking Lot Districts. An interesting situation. Basically, I'll just note,
9 in Parking Lot Districts, and we've had a lot of sort of side conversations in the course of
10 this budget with respect to parking, parking policy. That's something kind of on
11 everyone's plate, both Park and Planning. I'm not sure we're funding that analysis at this
12 point.

13
14 Unidentified
15 No.

16
17 Councilmember Floreen,
18 But also with respect to the County rules with respect to requiring X amount of parking
19 spaces for certain kinds of facilities and what happens if you don't provide them on your
20 own. The Parking Lot Districts are basically funded by those businesses that have
21 chosen not to provide their own parking. Under County rules they pay into this fund. And
22 the Parking Lot District is obligated to deal with the problem as it presents itself over
23 time as to how to provide the parking believed to be required based on County policy. I
24 think a number of my colleagues here have some views about parking policy and no
25 doubt we will continue to have some vigorous conversations about that. And we did
26 have some in the Committee with respect to lot 31. But let me just say to start out here,
27 we have some interesting things within the, so this is not really, although it's an ad
28 valorem tax associated with this parking obligation, it's not part of the real property tax
29 that is part of the charter limit analysis, just so you know. But it is obviously a charge
30 that commercial property bears if they do not provide their on-site parking. Did I get all
31 that right? Okay. And it can be residential properties as well. Yes. Basically the County
32 Executive is propose, and we looked at this in terms of the different Districts, Bethesda,
33 Montgomery Hills, Silver Spring, and Wheaton. Those are the parts of the County that
34 have Parking Lot Districts. Right now there are some marginal changes in security
35 within the Parking Lot Districts. Some increase proposed in the hours provided by
36 contract guards in Silver Spring. And again, this is all covered by the Parking Lot
37 District. Something all of us, our residents will be very interested in is their new concept
38 for parking scoff laws. This is the self-release booting program. I'm waiting to hear the
39 complaints about this one. Although, I'm not sure it's going to be the case. The point of
40 this is where people are found to have been defined as someone with three or more
41 outstanding delinquent tickets, the Department will put a boot on their car. Always a
42 popular experience for those folks. Apparently there are 14,000 people in this category
43 who owe us almost \$6 million. Regrettably, a number of them are from out of state. We
44 hope they're from the District of Virginia and are coming back soon. When they get this



May 6, 2008

1 boot on their car, this new system will allow them to call up and get a, and if they pay
2 their bills, they will get a special code that they can put into the boot, release the boot,
3 and all they have to do is return it to the Parking Lot District and they will be able, they
4 will be returned to the mobility again. But that is the proposal. We thought go for it.

5
6 Council President Knapp,
7 Councilmember Elrich has a question.

8
9 Councilmember Elrich,
10 Couple questions. One is on the nature of fines. How critical are fines for the financing
11 of the Parking Lot Districts? I ask that because I think about the system, for example,
12 that's in place with Silver Spring Garage which generates no fines because you go
13 through a gate, you pay a ticket and you leave. And so since you don't pay until you
14 leave, there are no fines for anybody. It seems to me that that's a more equitable and a
15 more reasonable way of doing things than relying on a person to make the accurate
16 calculation of how long they're going to be there and god forbid you come back 5
17 minutes or 15 minutes late and wind up with a ticket on your car. What would it cost us,
18 what would the consequences be if we went to a system that's like in the Silver Spring
19 Garage rather than meters?

20
21 Councilmember Floreen,
22 Let me just say, we have had a variety of conversations with the Department about the
23 various ways that you can pay for parking.

24
25 Al Roshdieh,
26 Well, of course, that system that you just mentioned Mr. Elrich, is not applicable to the
27 on-the-street parking where we have meters.

28
29 Councilmember Elrich,
30 Right.

31
32 Al Roshdieh,
33 The cost of a pay on foot system is in excess \$500,000 to \$1 million for a typical
34 garage. Usually you use that for a garage that has over 1,000 parking spaces. Then you
35 it has to be designed initially for that kind of a system. So, first of all, if you want to take
36 a garage and retrofit that system so there are some architectural changes to the,
37 furthermore, I cannot guess how much the cost would be absolutely. You're right, where
38 we have pay on foot system, there is no fines because you cannot exit until you pay
39 your fees. But most of our facilities doesn't have that system. And we have to rely on
40 people just like any other parking lot to estimate an amount of time that they're going to,
41 you know, use this.

42
43 Councilmember Elrich,



May 6, 2008

1 Do we have any comparisons for what it used to cost to collect the money manually
2 rather than with machines? In other words, you came in and got a ticket and you went
3 out and paid through a booth and handed somebody a credit card or cash, how that
4 compares to fully automated system? Is that.

5
6 Rick Seubert,

7 We don't have, for the record, my name is Rick Seubert, I'm Chief of the Parking
8 Operations Section of the Department of Public Works and Transportation. We don't
9 have any specific cost comparisons. We did originally install the pay-on-foot system in
10 the new redevelopment garages in Silver Spring anticipating that there would be an
11 operating cost reduction from operating cashiered garages. We found in our four years
12 of experience with those garages that we still have to maintain a significant level of
13 attendance. And that has greatly reduced the cost savings that we anticipated. There
14 are, however, other savings with pay-on-foot in terms of auditing, following up. When
15 money goes, particularly small bills, through the hands of many people paid at the living
16 wage, it tends to disappear on the way to the bank. That doesn't happen with machines.
17 So it does give us a little better audit trail. I'd like to clear up one slight misconception.
18 You indicate that parking fines, you seem to indicate that parking fines are associated
19 only with expired meter parking tickets. We write parking tickets for parked out of space,
20 for parked in a no parking area, for double parking, for failure to renew your registration.
21 So there really are a variety of offenses that make up the parking fines.

22
23 Councilmember Elrich,

24 I was just trying, I mean, there's not a number in there for me to relate directly to, I was
25 just curious. I would be interested in looking at some hybrid system. I understand your
26 concerns about money accountability. I guess maybe the question is, do you have more
27 shrinkage than what it costs you to protect against shrinkage? At some point, you know,
28 the shrinkage might be less than what you're actually spending to protect yourself. That
29 might be something to think about. I don't want to, I mean, I don't want to get into the
30 discussion of parking adequacy. I mean, I'll just say that I have reservations about lot 31
31 and the garage there. I just think that we're way over parking it. I have very serious
32 concerns from just a traffic end and community input.

33
34 Councilmember Floreen,

35 We're going to get to that in a sec.

36
37 Councilmember Elrich,

38 Okay, I'll stay off that, I thought it's parking garages.

39
40 Councilmember Floreen,

41 We're almost there. We're almost there.

42
43 Council President Knapp,

44 Almost there.



May 6, 2008

Councilmember Elrich,
Okay.

Councilmember Floreen,
Wax philosophical in a second.

Councilmember Elrich,
So, that's just my reservations then about the fines. I'm not sure what the best system is. We seem to have different systems in every garage. I mean, the garage near the courthouse is automated, but you're back into the guessing game, did I put enough money to get the right ticket. When the person comes around, have I guessed wrong? It just seems like it's an invitation to punish people. What we want really want is people, for people to do is to pay for their parking.

Arthur Holmes, Jr.,
We are looking at the total parking system to see what is the best way and where we're going to go.

Councilmember Elrich,
Okay.

Arthur Holmes, Jr.,
So your concerns are certainly pertinent.

Councilmember Floreen,
And we surely raise them. Okay.

Council President Knapp,
Councilmember Ervin.

Councilmember Ervin,
Thank you Councilmember Elrich. I really appreciated some of the questions that you asked because when I was on the T&E Committee, this parking issue came up and we talked about it at length. Mr. Seubert, I really was very curious about your comment about you pay someone a living wage. Does that mean a living wage is not enough so people therefore have to steal from the till? I was trying to figure out where you were going with that because it just sounded kind of out there. But anyway, while I have you sitting there, I do want to ask a question about parking in Fenton Village, specifically on Bonifant Avenue. There is a local small business there called Jaha. And the woman there braids hair and does, you know, African American women's hair. And what happened, I was there a couple weeks ago and I went to visit the shop and there were a lot of complaints and it was full in there. There were 40 women in there. A lot of women were leaving the shop to go feed the meter. And if they weren't feeding the meter they



May 6, 2008

1 would have to leave the shop with their head in a towel because they were told they had
2 to move their cars because you could only park for so long, and then you had to go get
3 in your car, move your car, find another parking space, and then come back to the shop.
4 I've been told this is some new, I didn't know anything about anything like this
5 happening before. Ben was with me from my staff. I met with some folks from DED
6 there. We were all listening to the same complaint that they couldn't just go feed the
7 meter, they had to actually physically move their car and park it someplace else and
8 then feed that meter. Can you explain that practice?

9
10 Al Roshdieh,

11 Let me just respond to say that if they park in a short-term parking space, then once the
12 allotted time is expired, they have to move their parked car. That is the County code.
13 Now regarding the specific complaint, I guess Mr. Seubert received some complaints
14 and responded.

15
16 Rick Seubert,

17 Mr. Roshdieh's comments were right on. I'd like to back up a little bit from them and talk
18 a little bit about the philosophy of it. Bonifant Street only has so much on street parking
19 available. If the spaces, for instance, were available for parking eight hours, then each
20 space on an eight-hour period could have one person parked in it. And the spaces the
21 rest of the time would be full. If we reduce the parking duration to a maximum of two
22 hours, then four people could park conceivably, or more, in every single one of those
23 parking spaces. So there'd be a much greater chance when you drive down that street
24 and want to go in for a short errand at one of the many businesses on that street that
25 you might find a parking space to be able to accommodate you better. If your need is for
26 a longer term parking, there is a surface parking lot on Bonifant Street that has long-
27 term parking.

28
29 Councilmember Ervin,

30 Always full. Always full. Well, the point here is that I'm sure that's the policy, but, you
31 know, there's got to be some coordination, it seems to me, where we're trying to support
32 these local small businesses and this woman's shop is very busy. And so they're
33 parking where they can find it. I'm sure everybody is not parking on Bonifant Street. I'm
34 sure they're parking all over the area, wherever they can find it. But it's just a curious
35 practice. I didn't know about it. I didn't know this was County policy. And there's nothing
36 much to be done about maybe having some other kind of solutions to parking on.

37
38 Rick Seubert,

39 In fact, this policy is directly supportive of small businesses. There are multiple other
40 businesses other than that shop that need, that can serve customers who would
41 routinely park for less than two hours. And so it very directly serves those businesses.
42 We try to serve all the businesses on the block. But as I said, if the parking is frequently
43 full and we extend the time, you're actually reducing the number of people who can be
44 customers. So what our policy is intended is to have people who are going to be there



May 6, 2008

1 from a longer duration to walk farther to their destination. There is, one block over on
2 Wayne Avenue, a very large garage with ample parking where people could park all
3 day. That is on the other side of the block from Bonnefant, but it's still a very short walk.
4 We really do have a policy designed to support small business. But to try to support all
5 the businesses rather than individual businesses.

6
7 Councilmember Ervin,
8 Okay. Thanks.

9
10 Council President Knapp,
11 Councilmember Floreen.

12
13 Councilmember Floreen,
14 Okay. So moving on to, if there aren't any more questions about the parking, per se, just
15 move on to our, really, our previous conversation with respect to freeing up some
16 money for the Fare Share and Super Fare Share. This is actually, as well in concert with
17 the PHED Committee looking at the budgets of the Urban Districts, and basically the
18 Parking Districts do provide a subsidy to the Urban Districts. As we talked about earlier
19 we recommended increasing the transfer from the Silver Spring PLD to the Silver Spring
20 Urban District and eliminate, and also increase the subsidy from the Wheaton PLD to
21 the Wheaton Urban District. These funds we would like to be committed to the Fare
22 Share and Super Fare Share programs. In addition though, with respect to the
23 Bethesda PLD, we believe that it's in pretty good shape financially. And here we
24 recommend increasing the transfer from the Parking Lot District to the Urban District by
25 \$153,000, and in a rare moment, actually recommend reducing the Urban District tax
26 rate in that District. Marginally, but nonetheless, a reduction in tax rate. I hope the press
27 is writing this down. Then again there have been some accounting adjustments to
28 support the Bethesda A trolley. I don't know that there is much more to be said about
29 that.

30
31 Glenn Orlin,
32 Ms. Floreen?

33
34 Councilmember Floreen,
35 Yes.

36
37 Glenn Orlin,
38 Ms. Dodson reminded me that after the last item.

39
40 Councilmember Floreen,
41 Do we need a vote?

42
43 Glenn Orlin,
44 Yeah, we need to vote.



May 6, 2008

1
2 Council President Knapp,
3 We need a vote on the supplemental.

4
5 Glenn Orlin,
6 On the supplemental for the bus acquisition.

7
8 Councilmember Floreen,
9 I think that's good reminding.

10
11 Council President Knapp,
12 Okay.

13
14 Councilmember Floreen,
15 Thank you.

16
17 Council President Knapp,
18 We had a Committee recommendation before us on, if I can find the right piece of
19 paper.

20
21 Councilmember Floreen,
22 Here we go.

23
24 Glenn Orlin,
25 Item 2D.

26
27 Councilmember Floreen,
28 Got it?

29
30 Council President Knapp,
31 Item D from this morning, Special appropriation to the County Government's FY08
32 Capital Budget to amend the FY07-12 Capital Improvements Program for the
33 Department of Public Works and Transportation for a total of \$12,742,000 for the Ride
34 On Bus Fleet. The source is short term financing. We had a Committee
35 recommendation. So that motion is before us. All in support of the special appropriation
36 indicate by raising your hand. That is unanimous.

37
38 Glenn Orlin,
39 Thank you.

40
41 Council President Knapp,
42 Okay.

43
44 Councilmember Floreen,



May 6, 2008

1 Thank you for keeping us on track. Next we had a good robust conversation about
2 some Parking Lot District projects, in particular the Bethesda lot 31 project. I will just
3 note Ms. Trachtenberg provided us with some very thoughtful questions with respect to
4 this project and some of the policy issues associated with it. And she received just
5 today, regrettably, is it today? Is this the 5th?

6
7 Glenn Orlin,
8 Today's the 6th.

9
10 Councilmember Floreen,
11 Yesterday.

12
13 Councilmember Trachtenberg,
14 Yesterday.

15
16 Councilmember Floreen,
17 She got, I got it today but she got it yesterday, I hope, some answers to her questions.
18 And I think all the Councilmembers have gotten a copy of those. I will say as I
19 mentioned, I think they're very thoughtful questions about how we do all this, how we
20 calculate it. Why do we do it this way? There are a variety of issues there. I'm not sure if
21 she wants to take this opportunity to get into it. I will say it certainly fuels the
22 conversation for parking policy within the County, how we identify needs, how we
23 finance it, what's the best way, isn't there a better bread box kind of a thing? So before
24 we get into the details of the project, I'll just ask Ms. Trachtenberg if she wants to go into
25 that.

26
27 Councilmember Trachtenberg,
28 Thank you Councilmember Floreen. I actually am going to make some comments when
29 we get into the discussion around facility planning. A number of my staff members
30 actually live right near this parking lot. I happen to live in the District as well. It's been an
31 object of great conversation for the last few weeks. And I have to admit that we sent
32 eight questions over requesting a quick response. And we really started with something
33 like 25 questions. So suffice it to say we tried to keep down the request. And I think it
34 speaks exactly the project to what the Chair raised, which is that we really do need to
35 have a process and planning accomplished. I found the price tag on this to be
36 astonishing. But more importantly, what I would like to address a little bit down the road
37 this afternoon is the issue of actually having perhaps an improved process around the
38 planning that we do with this, the studies that we actually provide funding for. I
39 recognize that what we're funding this year is well over \$1 million. I'd like us to define
40 more carefully what objectives in those studies need to be.

41
42 Councilmember Floreen,



May 6, 2008

1 So this garage is associated with a mixed use project. It's one of our public/private
2 partnerships for lot 31 in Bethesda, for those of you who don't think by numbers, that's
3 the one across from Barnes & Noble in Bethesda. It is a.

4
5 Councilmember Trachtenberg,
6 It's a happening corner.

7
8 Councilmember Floreen,
9 A very happening corner indeed. And we will be torturing our residents for some time
10 because Woodmont Avenue will have to be closed to accommodate the construction of
11 the project in the garage. The parking is proposed to be underground, and which adds
12 to its cost, of course. And let's see, it's going to replace the existing surface lots where
13 the garage, that have a, right now 279 parking spaces with about 1158 public spaces as
14 well as there will be private spaces provided to support the residential and retail
15 operation that's going to occur above. We spent some considerable time discussing the
16 cost elements in that. It is a large number and if members want to go into that at this
17 point, we certainly can have, I see staff's here to review the bidding. It is being financed
18 by the Bethesda Parking Lot District fund. And what we do recommend within the, there
19 was no recommendation in the Committee to change the project except add some
20 language emphasizing the need for coordination with the south entrance project on
21 Bethesda Avenue which will require the closure of Bethesda Avenue at a later point
22 further torturing our residents in that area. I'm sorry, Elm Street at a later point. So
23 there's a significant amount of coordination to be required. Mr. Berliner emphasized the
24 need to ensure a good pedestrian environment there and crossing and so forth. We are
25 assured that that will indeed be the case. So we will look forward to the production of
26 these elements as the project moves forward. Construction is to begin in, let's see, 11?

27
28 Glenn Orlin,
29 Correct.

30
31 Councilmember Floreen,
32 Fiscal year 11. So it's not happening quite yet.

33
34 Glenn Orlin,
35 Well, there's utility working.

36
37 Councilmember Floreen,
38 It happens just before the next election, right?

39
40 Glenn Orlin,
41 There's a considerable amount of utility relocation work that's going to happen in fiscal
42 years '09 and '10.

43
44 Councilmember Floreen,



May 6, 2008

1 Yeah.

2
3 Glenn Orlin,
4 So, there'll be some disturbance of the ground, but the Woodmont Avenue being closed
5 wouldn't happen until fiscal year '11 is my understanding.
6

7 Councilmember Floreen,
8 So residents will start seeing activity when, Mr. Roshdieh?
9

10 Al Roshdieh,
11 [inaudible].
12

13 Councilmember Floreen,
14 October of 2009 for 20 months. Yeah. So that is some of the pain that we will be looking
15 forward to having to deal with.
16

17 Council President Knapp,
18 Councilmember Elrich has a question.
19

20 Councilmember Elrich,
21 I just want to raise my reservations about this. Which I attempted to raise before. But
22 now that it's the appropriate moment.
23

24 Councilmember Floreen,
25 This is good. Go for it here.
26

27 Councilmember Elrich,
28 Is this a good moment for reservations?
29

30 Councilmember Trachtenberg,
31 And I know you'd have all the questions, Marc?
32

33 Councilmember Elrich,
34 Actually, I thought your list of questions was really to the point. One of my concerns is
35 that this garage like, well, this garage is being built under assumptions and about modal
36 splits and about auto usage and transit usage that are, I think, relatively old school and
37 which I thought and think the County is trying to move away from. So I think we're being
38 burdened with an unnecessary amount of parking. It strikes me on the one hand to
39 support the south entrance to the Metro with the hope of encouraging more Metro
40 usage and access of this community by Metro and then to be building this absolutely
41 monstrous garage there. Those two things seem to be antithetical. We should be able to
42 get more people there without cars. I go to Bethesda frequently. I note that the Coalition
43 for Smarter Growth attached a, just an impromptu parking survey from one fine evening
44 in April. But I'll say, I've never been to Bethesda where I couldn't find a space in a



May 6, 2008

1 garage. I will admit that people are sometimes not fond of parking at the tops of
2 garages. But it begs the question whether we should be building garages that big if
3 people aren't going to use them. And it seems to me that, you know, if you want more
4 garages rather than full utilization of existing garages, then the garages should only be
5 as high as people are likely to drive up and not so big that we wind up building empty
6 spaces at the top, which we have to pay for, and then building another garage
7 somewhere else because people complain about having to drive around because they
8 really don't want to go to the top of the garage. My feeling is this project is A, way too
9 expensive and it's far too many parking spaces for what we need and it moves us in the
10 wrong direction. I guess an ancillary concern is whether the garage itself is bearing part
11 of the costs that are associated with building a building above it, that the garage has to
12 be heavied up and the foundation and everything else is being built not merely to
13 support a garage but to support the project that's going to sit on top of it. And that the
14 cost of that structure being passed on to the Parking District rather than it being borne
15 by the project that's going to sit on top of the garage. That's just, I mean, I guess that's
16 the nature of where I think this is wrong. And I think we should have, I don't know
17 anybody who's been to Bethesda can think that the idea of putting a garage of this scale
18 on that corner is going to work really well, particularly when you're looking at a project
19 across the street. It's hard enough driving around there as it is. I think it was one of my
20 favorite intersections in terms of trying to figure out whether you can make a turn
21 without getting wiped out by cars approaching you from any number of different angles.
22 It is really challenging right now, and I think that the magnitude and volume of cars
23 you're talking about coming in and out of this garage is just going to amplify a really bad
24 situation over there. I don't understand why we're trying to draw that many cars that
25 deep into Bethesda. It seems that you're looking for more trouble than it's worth. I don't
26 know if, you know, you can kill the goose that lays the golden egg. You make that place
27 unpleasant and that's not good for the retail environment which people have worked
28 really hard to establish there. You make that really unpleasant and difficult to maneuver
29 around, you may be undercutting some of what we've actually managed to accomplish.
30 Those are my concerns on this.

31
32 Arthur Holmes, Jr.,

33 I'll just start out, I understand your concerns and I appreciate your concerns. Just as an
34 introduction with respect to parking, which we are obligated to do under chapter 59 of
35 the County, of the zoning code, we are only providing about 67% of the actual parking
36 that is required. And there have been traffic studies of the traffic configurations. And
37 they're workable. But Al Roshdieh's been working with us for nearly four years as we've
38 gone through this thing. So I'll let him go into it. We're not just deciding we're going to
39 put a lot of parking in one place. This is parking that is required in that area. And it's a ,
40 has been based on parking studies that have been over, what, about a four-year period
41 where we've been upgrading those particular parking studies. So I understand when
42 you go into a parking facility sometimes you're going to find that it's underutilized. But if
43 you look at the requirements for parking in private and in public facilities, this particular



May 6, 2008

1 parking lot is only providing a little over half or 67% of the parking that's called for in the
2 zoning code.

3
4 Al Roshdieh,

5 Well, yes, as Mr. Holmes indicated, we did a study in the year 2000. And we updated
6 the study as we got closer to advertising the RFP for the joint development or mixed use
7 development. And then, along the way, right before we go to Park and Planning for
8 their, for the mandatory referral, we updated the study again. And recently we updated
9 and it actually indicated that three of the development was in the pipeline but now is
10 either in construction or at the planning stage. So we feel confident that based on the
11 County code and the parking required we have fairly robust and solid information. Now,
12 in regards to, as Mr., I think to be exactly right, I think 72% is the accurate percentage of
13 what we are satisfying. You mentioned about the, are we supporting the development
14 above? In our negotiation we were paid full market value for the property as if it was
15 purely sale of the property. And we have fairly, we have a standard for our garages that
16 is fairly rigorous in terms of the spanning of 60 feet between the columns, we have fairly
17 wider drive aisles. The parking stalls is typically a little bit larger than private spaces.
18 Furthermore, our design standards calls for additional, in construction for durability and
19 low maintenance, for example, coating on the rebars and so many other things. Over
20 the time, of course, we're going to save in maintenance and capital investment.
21 However, there is an initial premium to be paid. There was a comparison that we did at
22 the Committee because of the, some comparison was given to us. We contacted Clark
23 Construction and we did an apple-to-apple comparison between our garage and that.
24 And we gave the information and it's in the packet actually. So we feel, and also as Ms.
25 Floreen indicated, we're very aggressive in our negotiation. And all these amounts that
26 is in there is not to exceed. We will have approval authority in this for the general
27 contractor, for the subcontractors. And these are all the upset numbers. The guaranteed
28 maximum price will be driven after the project is bid. So I feel very comfortable that in
29 terms of costs we have this under control.

30
31 Councilmember Elrich,

32 Are you assuming that the revenues from the garage itself will pay for the financing of
33 the garage or is there going to be a requirement of transfer of revenues from the
34 Parking District in general from surpluses in other parts of the District in order to pay for
35 this garage?

36
37 Al Roshdieh,

38 No, I think our assumption is all that Parking Lot District will pay for this garage and
39 financing.

40
41 Councilmember Elrich,
42 All the District.

43
44 Al Roshdieh,



May 6, 2008

1 Well, of course you have to finance part of the cost.

2
3 Councilmember Elrich,
4 Right.

5
6 Al Roshdieh,
7 But the revenue from this, from the Bethesda PLD will pay for this. There will not be a
8 need for General Funds.

9
10 Councilmember Elrich,
11 No, but will this garage itself carry itself?

12
13 Al Roshdieh,
14 This garage itself, I can tell you this, we did some analysis, and it indicated that the first
15 year revenue will be about \$813,000 and goes up to 900-some in the following year and
16 continuously going up.

17
18 Councilmember Elrich,
19 Okay .

20
21 Council President Knapp,
22 Councilmember Berliner.

23
24 Councilmember Berliner,
25 I appreciate the skepticism that has been expressed with respect to this because it was
26 certainly skepticism that I had originally as well. This is a lot of money for a big garage.
27 Being on the Committee, I did have the benefit of the discussion with respect to the,
28 what contributes to the cost of this garage. And I think it's been, I think, well-said that
29 our design is a large part of that. The, we like nice garages in Montgomery County.
30 Now, that's a legitimate debate as to whether or not we should like our garages to be
31 this nice. Under the current standards that we have used, it drives up the cost compared
32 to what other jurisdictions and certainly what private sector folks would otherwise do.
33 And it's also true that we're talking about underground and we're talking about six
34 stories underground, five stories underground. It's a lot. And we're talking about a
35 queuing mechanism which was designed, I think, intelligently to minimize traffic and to
36 ensure that people get into and out of that garage with very little disruption. If that turns
37 out to be wrong, then we've made a serious mistake because a big chunk of change
38 here is going to ensuring that we enter this garage in places that have the least possible
39 impact both on pedestrian as well as traffic situation, and that they exit it in that way. I
40 think the design has been done correctly. The overarching issue which the Coalition
41 raises and which certainly I find troublesome is the relationship between a project of this
42 magnitude and smart growth and whether if one were doing this today, one would
43 review this by the criteria that it has been reviewed for the past four years. So what I
44 think is difficult for people like ourselves coming into this at this stage in the



May 6, 2008

1 conversation is, they've played by all the rules that were in place and passed all the
2 tests that have been in place for four years now. So for us to look at this and go, gosh, if
3 I were designing this today, I wouldn't do it, isn't really what's before us, I don't think
4 fairly because I think then you'd be penalizing people who have spent four years in
5 getting the proper approvals from this County and saying, you know what, four years
6 later, we've come up with a better way of doing this, we think. And we don't really know.
7 I'm hoping that Councilmember Trachtenberg's conversation with respect to the studies
8 that will be taken up next addresses that issue. As part of what I had found troublesome
9 with respect to this is when we looked at the demand for parking in the area, we
10 excluded major garages like the Bethesda Metro Garage because that was deemed to
11 be a little too far to walk for retail. And I thought that was interesting because it really
12 isn't too far to walk for a movie or dinner because typically one would drop their
13 companions off perhaps for dinner and then go park the car and come back. But for
14 retail, apparently, people don't like doing that. They like to be very close for retail. Well,
15 I've got a Bethesda business community that cares about that phenomena. And says,
16 you know, if you make people walk too far, they're not going to participate in the retail
17 that we're striving very hard to provide. I don't know if going forward I find that to be an
18 acceptable answer. I do think it is something we seriously need to look at. We seriously
19 need to look at the relationship of parking to Metro. We seriously need to look at how
20 much we're charging and how many spaces we are providing. Because, every time you
21 provide spaces you are encouraging that which we know to be something we want to
22 discourage, which is the use of cars, to the extent possible. So I again appreciate my
23 colleague's skepticism. And were we beginning anew, I'd say we can probably do this
24 better. I don't think it's fair for us to superimpose a different judgment at this stage in the
25 process on this project that has gone this long and this far and so that's why I've
26 supported staff's recommendation and the County Executive's recommendation and the
27 Bethesda business community's urging that we go forward in this manner.

28
29 Council President Knapp,
30 Thank you very much.

31
32 Councilmember Floreen,
33 Okay. Thank you. Next item, Facility Planning Parking. Again, this is the Parking Lot
34 District's analysis of operations and some of their technical studies and drawings and
35 things of that nature funded from the Parking Lot District funds. Likewise, facility
36 renovations projects. Do we have specific projects that we're contemplating in this
37 category?

38
39 Glenn Orlin,
40 Circle 63 through 65 are the PDFs.

41
42 Councilmember Berliner,
43 Number two. Can we stay with number two for a moment?



May 6, 2008

1 Councilmember Floreen,
2 Facility Planning. Oh sure. Did you have something to say?

3
4 Councilmember Berliner,
5 Yes, because I thought that Councilmember Trachtenberg raised an interesting point,
6 and that is we're too late now with respect to this particular project. The issue is going
7 forward in terms of your study [inaudible] whether or not the studies [inaudible]
8 paradigm with respect to the relationship of parking Metro and how we should be going
9 about this. So, I didn't want to move past number two without following up with what I
10 thought was germ of your suggestion, Councilmember Trachtenberg that, this piece of it
11 would be a vehicle potentially, with the pun not intended, to make sure that we're
12 looking at this with fresh eyes as opposed to not.

13
14 Councilmember Floreen,
15 I think the challenge for them and for us, and it's certainly worth a conversation, is there
16 are rules in place that govern a lot of their, they are implementing policies and
17 regulatory requirements that, unless we change them, they, you know, they're in a
18 position to evaluate. So I guess the question would be what's the best forum in which
19 that conversation about the policy issue.

20
21 Councilmember Berliner,
22 Chair, what I was pointing to was number four there in which they're looking at going
23 through a number of studies. And my question is really the scope of the studies.
24 Because it's time for us to get out of the box we're in. That's on number four on page 15,
25 facility planning's parking, General Holmes, as to point you to where I believe
26 Councilmember Trachtenberg and I.

27
28 Arthur Holmes, Jr.,
29 What page?

30
31 Councilmember Floreen,
32 Page 15.

33
34 Councilmember Berliner,
35 Page 15.

36
37 Councilmember Floreen,
38 It's the Parking Lot District studies.

39
40 Councilmember Berliner,
41 Facility planning parking.

42
43 Arthur Holmes, Jr.,
44 Oh.



May 6, 2008

1
2 Councilmember Berliner,
3 And whether or not that is an exercise that can be used for purposes of reevaluating
4 whether or not we should in fact, as the Chair suggested, change the rules. Whether or
5 not, because we don't want to get locked into this unthinkingly forever.
6

7 Arthur Holmes, Jr.,
8 No, and not passing the buck, but I've been there. This is something that Park and
9 Planning should take into the zoning code. That's where that should happen. What we
10 were implementing were the chapter 59 of the zoning code, and the sector plan. So
11 while they're the planners, we're the executors in a sense. So I think that you are, Mr.
12 Leventhal indicated, that we ought to do this. We should look at these things and
13 restudy these things. But I'm saying the proper.
14

15 Councilmember Berliner,
16 Thank you.
17

18 Arthur Holmes, Jr.,
19 Agencies to do it would be the Planning.
20

21 Councilmember Berliner,
22 And I'm sure that Chairman Hanson will always love hearing when you say that this is
23 really something that he ought to do.
24

25 Arthur Holmes, Jr.,
26 Well, I did it for awhile, so I think he could do it for awhile.
27

28 Glenn Orlin,
29 One of the things on the wish list from the growth policy was for the Park and Planning
30 to follow up.
31

32 Councilmember Trachtenberg,
33 Right, the Park and Planning study.
34

35 Glenn Orlin,
36 The parking analysis for the zoning, this is exactly what General Holmes was talking
37 about, and I know there was a supplemental, I think there was a supplemental or part of
38 the budget that the PHED Committee was looking at but I don't know how that turned
39 out.
40

41 Councilmember Floreen,
42 I think it's on the list.
43

44 Councilmember Trachtenberg,



May 6, 2008

1 It's on the list.

2
3 Councilmember Berliner,
4 My understanding is that it didn't make it to the list out of PHED Committee with respect
5 to.

6
7 Councilmember Floreen,
8 I'm not even sure it's on the list.

9
10 Councilmember Berliner,
11 Whether or not it was recommended for the reconciliation.

12
13 Council President Knapp,
14 No.

15
16 Councilmember Trachtenberg,
17 It's not on the?

18
19 Council President Knapp,
20 There is none of that.

21
22 Councilmember Berliner,
23 The PHED Committee recommendation did not include that piece.

24
25 Councilmember Trachtenberg,
26 Okay.

27
28 Council President Knapp,
29 None of the additional studies were on the list with the exception of what was included
30 to be completed by the end of this summer. So we'd have to go back and check and
31 see if it was to be included in the initial list of things. But anything that was going to be
32 delivered by the end of FY08, effectively.

33
34 Al Roshdiah,
35 A lot of our studies are guided by chapter 59 which is on the Park and Planning and
36 once those criteria changes, of course, it's going to have a direct effect on.

37
38 Councilmember Berliner,
39 And I have to say that my hesitation now is to proceed with giving additional dollars for
40 studies at this moment in time when there are a number of us who care for, if you will,
41 that step back look and see whether or not we ought to be modifying the rules of the
42 game. What I don't want to do is perpetuate this loop here where we don't have a new,
43 at least an exploration of a different paradigm so that your studies then would be guided
44 by that. So I would say to the Council Present and the PHED Chair that I think there



May 6, 2008

1 may be a number of reasons why we should consider whether or not that piece of the
2 Park and Planning doesn't play a more critical role than perhaps had been appreciated
3 at the time and should be pulled out even though it is a, quote, new initiative, it is one
4 that is so foundational to much of what we.

5
6 Council President Knapp,
7 Certainly take the costs out and see what the costs are associated with it and see if it.

8
9 Glenn Orlin,
10 Are you suggesting that the part of the park facility planning parking PDF that's
11 associated with the additional increases for PLD studies should not be funded for FY09.

12
13 Council President Knapp,
14 Nobody followed you on that one, Glenn.

15
16 Glenn Orlin,
17 I'll start again.

18
19 Council President Knapp,
20 Holy cow.

21
22 Glenn Orlin,
23 Mr. Berliner is pointing out that one of the additions to the, one of the reasons why the
24 facility planning parking PDF, Project Description Form project has increased in costs is
25 because of additional studies of the type that he just mentioned. I'm just asking, are you
26 suggesting that you want to pull the money for those studies, at least for the time being,
27 from this project?

28
29 Councilmember Berliner,
30 I would ask my colleagues to entertain this conversation because it does seem to me
31 that rather than moving forward with additional studies in an old paradigm we'd be better
32 served to have Park and Planning come up and give us guidance so that the studies
33 that we do going forward, in fact, reflect our best thinking. If we're going to spend an
34 additional \$300,000 on accelerating studies that we ultimately conclude don't provide us
35 with the policy direction that we want. I think that would be unfortunate. This would
36 appear to be a place where we could put the pause button on momentarily in order to
37 get the direction that General Holmes suggested we need to get from Park.

38
39 Councilmember Floreen,
40 If I may just suggest a solution, we might fund that project through these dollars.

41
42 Councilmember Elrich,
43 Yeah.



May 6, 2008

1 Councilmember Floreen,
2 On Park and Planning. Well, technically you're not supposed to, but.

3
4 Council President Knapp,
5 That's okay. You're not supposed to use state participation to fund parking garages
6 either.

7
8 Councilmember Floreen,
9 We could.

10
11 Glenn Orlin,
12 The problem with that.

13
14 Councilmember Floreen,
15 We could ask the Department to undertake this effort in coordination with Park and
16 Planning.

17
18 Glenn Orlin,
19 Yeah. The problem just using these dollars is because this is, the money in Bethesda is
20 only to be used for Bethesda. If you're talking about revising the zoning ordinance,
21 you're talking about parking everywhere in the County, where the County has control
22 over zoning.

23
24 Arthur Holmes, Jr.,
25 We do need to continue to study the parking operations as they are. No matter what the
26 amount is or how you do that, we need to look at the kinds of things that Councilman
27 Elrich was talking about as, you know, what's the best way to get funds out of parking
28 paid. Those kind of things need to go on. So I think that this is separate when you talk
29 about the parking, the actual amount of parking. Because right now 59, chapter 59 is
30 supposed to take in the modal splits and the fact that you're close to a Metro station. So
31 I would say that that's a Park and Planning function. That doesn't mean that we ought
32 not work with them. Because we should, because what would happen is you get
33 something that's done in isolation, then you have a bad connect. So I would say it's a,
34 even though I've said that's a Park and Planning thing, we have a responsibility in it
35 also.

36
37 Council President Knapp,
38 Okay, so we need to.

39
40 Councilmember Floreen,
41 Mr. Elrich.

42
43 Councilmember Berliner,
44 I defer to the wisdom of the group.



May 6, 2008

Council President Knapp,

So, there is no motion yet but I see there are a number of lights. Councilmember Trachtenberg.

Councilmember Trachtenberg,

I think Councilmember Berliner had read my mind which is this is actually the point that I wanted to raise which is that it seems to me that if we're going to evaluate zoning code requirements, we obviously need to address the master plan which clearly allows the Planning Board to approve parking demand for private development, particularly for projects near Metro. In other words, there's not a connection here where there needs to be one. It would seem to me that funding this study is really of critical importance. And I knew that it was not on the reconciliation list. And that is why I wanted to raise this, because I do think it needs to be put on there. We need to fund it if we're really going to be serious about addressing the challenges that we have in parking policy here in the County. It just seems to me we have got to have a better way of being able to project what the needs are and how we're going to make investments. That's not to say over the years we haven't taken the right steps. But it just seems to me we're lacking the coordination in what we're doing. That was very clear, quite frankly, even from the questions that were posed and the responses, again, I thank the General for the timely response. I have to admit that with the answers that were provided, I easily came up with another dozen questions.

Arthur Holmes, Jr.,
I'm sure.

Councilmember Trachtenberg,

And you know, and I also admit that I do not go to T&E routinely but I listen to it often enough and certainly have my staff covering it. So it just seems to me that, as Councilmember Berliner said, if we're really going to take the right steps here, we need to have that study funded and we need to make a commitment to do it as soon as we can.

Council President Knapp,
Councilmember Elrich.

Councilmember Elrich,

I mean, there are parking studies and there are parking studies. If you look at things in the context, even of the zoning and Bethesda, and you look at your mix of retail and housing, you don't change anything else, you'll get the same output that you got before. There are rules. Retail will say you need X number of spaces for so many square feet and office needs so many spaces. And that's a traditional parking study. The study that Park and Planning had talked about undertaking was broader in context. It was in a broader discussion of the growth policy and about using parking policy. It partly is a



May 6, 2008

1 demand management tool on the roads. When you use the parking policy to change the
2 parameters of how people, what the modal split is, then you change the inputs that
3 would go into a discreet parking study, say, for Bethesda. If a parking, if one of the
4 conclusions of Park and Planning is that controlling the supply of parking is the most
5 effective way of controlling the flow of vehicles into a policy area which I could tell you in
6 advance the TRB, Transportation Research Board would tell you, it is. Then you change
7 all the assumptions down the line about how many spaces you need and how people
8 are going to perform. And so you just don't need a parking study as an abstract
9 discussion of what do I need to support this amount of square footage of office and
10 retail and housing. You need the study to look at it the way, I think, the way Park and
11 Planning is talking about doing it in the broader context. So your study, to the extent that
12 you would do local studies, ought to follow onto any policy decisions the Council makes.
13 For example, to reduce vehicle miles traveled, if we were to make a decision along
14 those lines.

15
16 Arthur Holmes, Jr.,

17 The study I was talking about is parking operations as opposed to studies for parking
18 allocation. Parking allocation is the responsibility of Park and Planning. And that's the
19 study I think we were talking about. Two different kinds of studies. This particular project
20 has been vetted by Park and Planning. This is where we are. Now, the basic, I think
21 what I'm hearing is the basic study would be to look at chapter 59 and determine
22 whether it's correct or not. Because right now from experience I know that chapter 59
23 does take in consideration modal splits. It does take in consideration location. So, you
24 know, it's proper to say, let's look at it again. And that's, I have no problem with that at
25 all.

26
27 Council President Knapp,

28 I would propose that pursuant to the conversation that's been raised that we actually
29 look at breaking out whatever that parking study was, and I don't know what the cost
30 associated with that. We can certainly place it on the reconciliation list. I hear enough
31 consensus on the Council to look at that. I'm not necessarily saying that we're funding it
32 through the Bethesda Parking District. I think there are issues with that.

33
34 Councilmember Berliner,

35 Yeah, there would be. [multiple speakers].

36
37 Councilmember Elrich,

38 It's all fungible.

39
40 Councilmember Floreen,

41 Let's be creative Roger.

42
43 Council President Knapp,

44 But I would propose that, see what the number is.



May 6, 2008

Councilmember Floreen,
Okay.

Council President Knapp,
We'll look at that and we're going to get to a number of things on that list in the course of the next few days and we'll see where that gets us.

Councilmember Berliner,
Thank the Council President.

Council President Knapp,
All right. Councilmember Floreen, you have got a number of pages to still get us through.

Councilmember Floreen,
Okay. Well, we're almost done here. The CIP adjustments here are largely, well, except for the last item, are some technical adjustments largely. Ms. Ervin wanted us to focus on the Dale Drive sidewalk, this is the CIP, and add language addressing an improved pedestrian crossing there along Dale Drive. You'll recall this is a very high price tag project at a sidewalk there. We asked the Department to review the bidding on this and see if they could do it in a less expensive fashion and we saved \$1 million with that. This we thought was a worthy addition. There is the pedestrian safety program with the County Executive added dollars to that in the CIP focusing on high incidence areas, Wheaton, three in downtown Silver Spring, and one in Georgia between Wheaton and Glenmont. Again, funding is, they've looked at the bookkeeping on this looking at GO bonds and current revenue. Watkins Mill extended, again this is an adjustment for bookkeeping purposes, how is it funded. Substituting general obligation bonds, impact tax funds for general obligation bonds there. Street tree preservation. The County Executive revisited his recommendations and recommended reducing them to reduce the project by, for some reason 147,000. We had already agreed to maintain the million dollar level over the next couple years and then to raise it in later years and T&E was sticking by its guns in that regard. There's some, again, technical adjustments with respect to how we allocate dollars associated with land sale revenue. And this is part of Mr. Orlin's wizardry in balancing the budget. Likewise.

Councilmember Elrich,
That's not a very technical term.

Councilmember Floreen,
I think it is. Should I read this to you?

Council President Knapp,
No. That is unanimous.



May 6, 2008

1
2 Councilmember Floreen,
3 Okay. Good. Further, technical adjustments with respect to Montrose, this is really in
4 response to Mr. Leggett's response to what we did in the CIP. Adjustments of funding
5 mixes for Montrose Parkway and road rehabilitation. Bethesda Metro South Entrance,
6 as with the lot 31 issue, we're adding language directing coordination of Elm Street
7 closure with the Woodmont Avenue project. And noting that the funds for this project
8 had started out in the state transportation participation project. Likewise with Montrose
9 Parkway East, there's some editorial language there to. Sure.

10
11 Council President Knapp,
12 And we got the letter.

13
14 Councilmember Leventhal,
15 I did just want to check very quickly, I don't want to delay this, was the Committee Chair
16 pleased with the excellent letter we got from Paul Wiedefeld in response to.

17
18 Councilmember Floreen,
19 I was delighted by said letter.

20
21 Councilmember Leventhal,
22 Wonderful letter.

23
24 Councilmember Floreen,
25 And I thank.

26
27 Councilmember Leventhal,
28 Absolutely.

29
30 Councilmember Floreen,
31 Councilmember Leventhal and our staff.

32
33 Councilmember Leventhal,
34 I'm so pleased that you're pleased.

35
36 Councilmember Floreen,
37 Yeah. That's terrific.

38
39 Council President Knapp,
40 It's all about making each other happy this time of day.

41
42 Councilmember Floreen,
43 Oh yeah.



May 6, 2008

1 Council President Knapp,
2 Okay.

3
4 Councilmember Floreen,
5 Glad to have it in the file. Excellent to have..

6
7 Councilmember Trachtenberg,
8 It's been a long day.

9
10 Councilmember Floreen,
11 No, it's good. Let's tack that to the wall.

12
13 Councilmember Trachtenberg,
14 Okay, thank you. I've seen this.

15
16 Councilmember Floreen,
17 Montrose Parkway East.

18
19 Councilmember Trachtenberg,
20 I read this.

21
22 Council President Knapp,
23 All right, let's.

24
25 Councilmember Floreen,
26 Includes some language with respect to the lane width. Always a fascinating issue for
27 the Council. And then we get to the Rockville Parking District. Is the library here? There
28 we go. Some of you may be aware that we have a deal with a City of Rockville, we
29 make an annual payment of taxes to share in the overall expenses of the District. In '08
30 it's \$130,000. And I guess that's the same number for '09, Glenn?

31
32 Glenn Orlin,
33 Yes.

34
35 Councilmember Floreen,
36 Likewise, we have an obligation to make an annual payment for our share in the
37 repayment of debt for the garages in the Rockville Parking District that adds up to
38 \$180,000. And then last, but not least, is the issue of what we're doing about parking for
39 the Rockville Library. And this is a policy issue but the Committee majority
40 recommended that we no longer reimburse the, fund basically free parking for patrons
41 of that library. That is a cost that the County is bearing right now of about \$84,000. We
42 think that money estimate is a little low but it's in that range. There are different points of
43 view as to whether this is the place and the time to do that. And I will turn the floor over
44 to, I'm guessing Councilmember Leventhal.



May 6, 2008

1
2 Council President Knapp,
3 It is in fact Councilmember Leventhal.

4
5 Councilmember Leventhal,
6 Well, thank you Madam Chair. I made this motion in Committee and I'm prepared to
7 defer this issue for now.

8
9 Councilmember Floreen,
10 Okay.

11
12 Councilmember Leventhal,
13 So there would, I do have a few things to say. I don't think there need to be a vote this
14 afternoon. The Council Vice-President has accurately pointed out in a memo to all of us
15 that we're governed here by resolution 15-1396 which passed two years ago. And I
16 have just circulated to my colleagues a resolution that will be introduced on Tuesday, a
17 week from today, that is cosponsored by myself, Mr. Berliner, and Ms. Ervin and I'm
18 sure that my cosponsors and I would be delighted to have additional cosponsors should
19 other colleagues choose to join us. Having listened very carefully to this discussion
20 we've just been having about changing the way we think about parking, about moving
21 away from subsidizing the automobile, about the conversation we've been having the
22 last few weeks about reducing vehicle miles traveled, the conversation I've heard in
23 connection with the master plans that will be coming before us about having harsh
24 disincentives to preclude people who live near Metro from owning cars, I'm confident
25 that this resolution will pass unanimously since this is the Council's opportunity to strike
26 a blow for reducing vehicle miles traveled, changing the way we think about subsidizing
27 the automobile and changing our approach to parking. I want to tell the Council that
28 we're being scammed. We're being scammed. I received a message today from a
29 constituent, actually, it wasn't addressed to me, it was addressed to Rockville
30 Councilmember Ann Robbins. And just reading very briefly from it, it states that people
31 in Rockville are being told by merchants to validate their parking at the library and then
32 use their free time to shop and dine in Rockville Town Center. Of course, this is
33 anecdotal. We don't have any detailed studies that this scamming is taking place. We
34 suspect that it is taking place and we have anecdotal evidence that it is taking place. I
35 assure you that if we adopt this policy of free parking in Silver Spring, the scamming will
36 increase dramatically, that people, people in Rockville are smart, people in Bethesda
37 are smart, people in Silver Spring are smart, and they're going to figure out that they
38 can park for free. Nobody checks because we, and rightly so, did not want to turn
39 librarians into parking attendants. The County is being scammed. People are parking for
40 free in Rockville Town Center. There's a little history here and the history is this, when
41 the plans for Rockville Town Center were being put together, the finances were very
42 carefully calculated. The County's contribution was significant, I think it was in the range
43 of \$15 million just as a outright gift to Rockville to enable the people of Rockville and the
44 people of Montgomery County to enjoy the new town center, and we built them a library



May 6, 2008

1 at a cost of, I don't know how much, it must have been about \$22 million over and
2 above the \$15 million direct subsidy for the town center project. And at that time a
3 handful of Rockville citizens said, wait a minute, what do you mean, you're building a
4 library and the parking is going to cost money? I was Chairman of the HHS Committee
5 and I called the Mayor of Rockville, Larry Giammo, and I said, Mayor Giammo, is there
6 something we can work out, is there some arrangement between the County and the
7 city that we could facilitate this issue of free parking and Mayor Giammo, former Mayor
8 Giammo said, no way we have calculated the financing here and we cannot afford to
9 change this financing plan. He said to me at that time, I've read the constitution and
10 there is no right no free parking in it. There's a right to free speech, there's a right to
11 freedom of religion, right to freedom of assembly, no right to free parking in the
12 constitution.

13
14 Councilmember Floreen,
15 It's a good sound bite.

16
17 Councilmember Leventhal,
18 Now, subsequent to that, I just want to go through the history here very briefly.

19
20 Councilmember Elrich,
21 If you can't park, you can't assemble. That's an impediment to assembly.

22
23 Councilmember Leventhal,
24 Okay.

25
26 Council President Knapp,
27 Now, now.

28
29 Councilmember Leventhal,
30 Subsequent to that.

31
32 Council President Knapp,
33 Mr. Leventhal has the floor.

34
35 Councilmember Floreen,
36 We're at the end of the day.

37
38 Councilmember Leventhal,
39 Okay Mayor Giamo was very clear that the policy basis for the Rockville Town Center
40 did not call for free parking for the library. However, once the constituents continue their
41 activity on behalf of this bad policy, the Mayor and Council of Rockville passed a
42 resolution stating yes, indeed, there should be free parking and Montgomery County
43 should pay for it. To which County Executive Duncan responded, yes indeed there
44 should be free parking. And the residents of Rockville should petition the Mayor and



May 6, 2008

1 Council of Rockville to provide free parking. This has been a political football from the
2 very first day. This was in 2006. We had at least one member of this body running for
3 County Executive at the time. We had the County Executive running for Governor at the
4 time. We had every member of this body expecting his or her name on the ballot that fall
5 and that winter and so by a vote of 6-2-1, Mr. Silverman was absent that day, the
6 Council agreed to provide free parking not only in Rockville but at every library, every
7 urban library in the County. So in Bethesda where there had been metered parking for
8 years with no complaint, never anyone raising an issue about it, we had to take out the
9 paid meters and replace them with meters that are now being abused just as the
10 Rockville meters are being abused. If you want to know how to get free parking in
11 downtown Bethesda, which we were just talking about, just go ahead, park in the lot at
12 the library, validate your parking ticket and go ahead and have your lunch at McCormick
13 and Schmick's or go to a movie or go shopping in downtown Bethesda. The parking's
14 free, people. It's free. There's no enforcement. There's no policing. Our librarians are
15 not parking attendants. And if we expand this to Silver Spring, the policy will be even
16 worse. There's no need for a vote today. I'm prepared to withdraw this matter today. I
17 was the maker of the motion in Committee. The Council Vice-President is correct that
18 we can't really act on this in a budgetary way without amending the policy. But if we are
19 really serious about reducing vehicle miles traveled, if we're really serious about
20 removing incentives for the automobile, if we're really serious about thinking about
21 Metro Station policy areas, then again, I'm confident that this resolution, once it's
22 introduced next week and comes to a vote of full Council that it will pass
23 overwhelmingly.

24
25 Council President Knapp,
26 Council Vice-President Andrews, for the rebuttal.

27
28 Councilmember Andrews,
29 Thank you. Well, my, my, where do I begin? Look, if the Council were really serious
30 about reducing VMT, it wouldn't have supported the ICC. All right. So, let's talk about
31 what really makes a difference in that respect. That's over 500 million miles of additional
32 VMT by 2030 according to the state's own study. Let's talk about what this policy is
33 about. First of all, it's our policy. It's not the City of Rockville's policy that we established.
34 And it's for all Counties in the system. It's a County library. It's not a city library. We've
35 had a policy in effect of free parking at County libraries with the limited exception of
36 Bethesda until 2:00 on weekdays in existence since we've had libraries. While it may
37 be that this is a policy that several members of this Council who are now, were not part
38 of, that's all the more reason for looking at what the impact would be of changing it.
39 Now, I appreciate that Councilmember Leventhal, who has been very consistent in his
40 view about this policy does recognize that the policy should be addressed before budget
41 action is taken. Although I wouldn't agree for a minute that the public can be fairly
42 afforded an opportunity to weigh in in the next few days. The Council took weeks,
43 several weeks when it developed this policy in 2006, we had three worksessions in the
44 HHS Committee which I attended and I appreciated the thoroughness with which the



May 6, 2008

1 issue was debated at the time and then the Council took its action. The purpose of the
2 policy, and I'll just read it briefly because it is very short is this, libraries are an essential
3 component of lifelong public education and provide access to a world of information for
4 all library users regardless of income. The County Council wants to ensure the County
5 policies encourage use of libraries. The County currently provides free parking for
6 library users of all County libraries, again with a limited exception that existed at
7 Bethesda. The County Council's concern that charging library users for parking, the fee
8 is \$1 an hour in Rockville Town Center, which happens to be the same charge that is
9 charged in Frederick, in Frederick City Library, the County Library in Frederick that's
10 located in the city. Frederick has a very similar situation where they provide validated
11 parking for library users there in order to maintain free access. It's not a question of the
12 subsidy of Rockville. Rockville City is not going to change its policy. This is about
13 providing equal treatment to all library users. As we heard from Parker Hamilton this
14 morning, the Rockville Library serves many Countywide purposes. It is housing the
15 special needs library for the County. You have our constituents who have special needs
16 that travel across the County to the library. It houses children's resources. It houses
17 business resources. These aren't neighborhood libraries. People don't walk on average
18 to most of our libraries. I actually think it would be useful to survey our library system,
19 each library, and let's find out what percentage of people drive, take transit and walk.
20 Sure, we want to provide incentives for transit. We do. As Councilmember Leventhal is
21 aware, I have been very supportive of transit incentives and for very cheap Ride On
22 service, free Ride On service for many, many times of the day and many people. The
23 fact is that people drive to the library now in most cases, I think, you will find. And the
24 question is, are they going to be charged \$1 an hour, which certainly, for some will be
25 an impediment to use, \$1 an hour for someone who goes to the library on a regular
26 basis, and we want to encourage library use is not a small amount of money and for
27 people who are poor, it can be a real obstacle. The effect of eliminating this policy at
28 this point, although this it is a County-wide policy, it would apply to the future Silver
29 Spring Library, is that users of the Rockville Library, people who travel from other places
30 for the different purposes would be the only library users in the County that would have
31 to pay a fee for parking in order to use the library. And it is unrealistic to think that most
32 people who use the Rockville Library are either going to be able to walk there, bike
33 there, or I would suggest take transit. Although, I would be very interested in a survey to
34 see what is the practice at Rockville versus Aspen Hill versus – versus Gaithersburg
35 and so on. In terms of abuse, well, the abuse at this point is anecdotal. And it doesn't
36 mean that the policy isn't achieving its purpose. Whatever can be done to minimize any
37 abuse is certainly to be commended. But that doesn't mitigate the value of the policy if
38 the policy is achieving its purpose. It was adopted after long and extensive deliberation.
39 It wasn't rushed in. It shouldn't be rushed out. I really want to have opportunity for public
40 comment on this. It is an issue of wide public interest in this area and I think in some
41 other areas of the County as well. We heard from a lot of people during the last go-
42 around, and I think it would be very inadvisable for the Council to rush to a decision on
43 this when it is, we are in the midst of a budget which we're struggling to balance. This is
44 not an issue that came to the attention of the public until the last day or two. It is an



May 6, 2008

1 issue that applies to libraries throughout the County and to future libraries as well. And
2 we ought to do it in a considered way. So I was disappointed by the recommendation of
3 the Committee. I agree that it's appropriate to defer a vote at the moment. But I really
4 don't think we could have fair consideration of it in a way that would afford significant
5 public input during this budget period. I expect, and I hope that we will restore the funds
6 and then carry forward with whatever debate the makers of the motion want to have.
7 And I'm certainly not against having a debate about it. That's perfectly fair. But the fact
8 is this Council is 18 months old now. Until today there has not been a resolution put
9 before us. As the maker of the motion said it will be introduced next week. I think it's a
10 significant enough policy change if this Council were to make it that it should be duly
11 considered. And I would ask my colleagues for that courtesy and appreciate the
12 attention to this. Thank you.

13
14 Council President Knapp,
15 Councilmember Elrich.

16
17 Councilmember Elrich,
18 I appreciate removing this from the discussion, sort of removing, today.

19
20 Councilmember Floreen,
21 Not exactly.

22
23 Councilmember Elrich,
24 But not exactly. But at least removing it from the debate today. I have, I wasn't on the
25 last Council that voted on this. And I would certainly like to see a full discussion of it
26 including, you know, worksessions and the opportunity for the public to comment on it. I
27 have mixed feelings about it. But I will say leaving the ICC aside as one glaring
28 example, I think it's just a mischaracterization to compare going to the library with steps
29 that people are going to take to reduce VMT miles traveled. If you want to compare the
30 amount of miles that people go from, you know, from one part of Silver Spring to the
31 library versus what we're talking about in terms of reducing VMTs in the CBDs
32 throughout the County, I think you'd find that you're talking about a miniscule number of
33 miles. On the other hand, if you're signaling you're going to support radical efforts to
34 reduce VMTs and parking restrictions in the Central Business Districts, that's certainly
35 going to be an interesting discussion. We should have, be able to get to a majority
36 pretty easily if that's where we're going. But I think these are two things of very, very
37 different order. I think there are arguments on both sides of this. I'm not sure if the
38 intention of the motion or the eventual motion would mean that Gaithersburg Library, for
39 example, would have parking meters or if all the other libraries in Montgomery County
40 would then have parking meters installed on them on the assumption that I could
41 probably find a Metro stop or a bus, a Ride On stop near any Montgomery County
42 public library and therefore everybody should go to Montgomery County public libraries
43 by Ride On rather than by driving there. I mean, if the purpose is to reduce VMTs, then
44 we should meter every library and tell people to take the Ride On buses there. I don't



May 6, 2008

1 think you're going to propose metering every library. So it seems to me the policy should
2 fit all libraries or it should fit no libraries. But I look forward to a longer discussion about
3 this and at least to hear from more folks.

4
5 Glenn Orlin,

6 I have a procedural suggestion. And actually it was Ms. Praisner's point last year, which
7 was actually at the time, and in retrospect was an excellent one. This Non-Departmental
8 Account pays for the four items that Ms. Floreen talked about at the very beginning.
9 There's, what she had recommended last year and the Council did was to not include
10 the \$84,000 in the budget that was approved for FY08. But that to essentially force this
11 issue to come back at a point where there would be full discussion, at the same time,
12 there would be a supplemental appropriation request for the balance of 84,000. And
13 there's enough money to be left in the NDA to basically carry us through the summer
14 and into the early part of the fall. If the idea is that this debate would happen by then,
15 what I would suggest is A, not including the 84,000 as the Committee has
16 recommended in the FY09 budget you approve in a couple weeks, but B, then you'd be
17 coming back this summer or early fall with two things which would run together. One
18 would be the resolution, I guess that, Mr. Leventhal and Mr. Berliner and Ms. Ervin is
19 introducing. And at the same time a supplemental appropriation request for the \$84,000.
20 And you vote on then both at the same time.

21
22 Council President Knapp,
23 Let me, I appreciate.

24
25 Glenn Orlin,

26 Otherwise what you're doing is you're approving \$84,000 which may not be spent.

27
28 Council President Knapp,

29 Right, no, I appreciate the procedural suggestion. I will, I think what the Council has
30 gotten before it right now is no particular motion which I think is fine. I think that there
31 will be some conversation over the course of the coming days that are perhaps go down
32 that road or a different way. Our final two comments. Councilmember Leventhal and
33 Councilmember Andrews.

34
35 Councilmember Leventhal,

36 Thank you Mr. President. There are many, many things I appreciate about my friend
37 Phil Andrews and his dedication to fairness and a good process is very much on that
38 list. So I was persuaded by his memo that for the Committee abruptly to take this action
39 in violation of a stated policy of the Council was not a good process. I agree with that.
40 And I think, although the hour is late, the fact that we're having this vigorous discussion
41 now actually helps to serve the purpose of alerting the public that this is a policy issue,
42 that we are grappling with it, that people have an interest with it. I agree there will be
43 people with an interest on both sides, ought to pay attention. It will be up to the Council
44 President, of course, it is the Council President's prerogative as to the scheduling of the



May 6, 2008

1 ultimate vote on this. A number of suggestion have been made as to a fair process. I
2 share with my good friend Phil a desire that processes be fair and that the public feel
3 like they have had input and that we're doing our business in the open. And so that's
4 why I've suggested proceeding in this manner. There is no, I've withdrawn the
5 suggestion I made in Committee for now, so there is no vote before us now. This
6 resolution is going to be considered under regular order. I'm not proposing that we
7 waive the rules and vote on the resolution next Tuesday. It'll simply be introduced next
8 Tuesday. We're only talking \$84,000 so it doesn't have a great impact either way on the
9 budget. The ability to spend the \$84,000 somewhere else doesn't make that much of a
10 difference. When you say that the public ought to have the opportunity to have input,
11 that's a question that the Council President should determine. Generally, as the
12 Council-Vice President well knows, we don't generally have public hearings on
13 resolutions. This was accomplished two years ago by resolution. We didn't actually have
14 public hearings at that time. Although, as I, you know, vividly recall and you do too, we
15 got a lot of input from the public. And I think this will provide that opportunity. In terms of
16 worksessions, my friend Mr. Elrich has suggested, you know, I don't actually feel the
17 need as Chairman of the HHS Committee to schedule a Committee session on this.
18 We've had a lot of discussion on this. And let me say I don't think, and there was not in
19 the past a consistent policy for every library. The Gaithersburg Library is quite different
20 than the Bethesda Library. The Bethesda Library occupies some of the most valuable
21 real estate in the County. The Rockville Library was designed as a part of a different
22 urban concept at Metro. We already have in policy something called Metro Station
23 policy areas. We do not apply the same rules to Metro Station policy areas that we
24 apply to every Ride On bus stop in the County. So, we're both engaging in hyperbole.
25 Let's admit that. Okay. This is a fun issue to debate but there are serious aspects to it.
26 The County is being scammed. This, Ms. Praisner and I took the political risk two years
27 ago in the peak of an election season of voting for what we thought was the right policy.
28 I don't cast aspersions on any other colleagues. But I can only tell you, I survived that
29 election just fine and many threats were made by the people of Rockville against me
30 because of my view that in a Metro Station policy area when the City of Rockville had
31 carefully constructed its financing plan and did not account for its constituents getting
32 free parking at its library, our library, the County's library, that there was no reason to
33 change that policy. I voted that way, hey, I survived. It was okay. You know, it was all
34 right. There will be some folks who want to weigh in on this. I think what we're engaged
35 in now, this discussion right now, the introduction of this resolution, the time it will take
36 to vote on this resolution, my sense is will suffice. I would rather not have a worksession
37 on this matter in Committee because I think the issues are fairly cut and dried. I don't
38 see the need for a uniform policy. No, in answer to my colleague's question, this
39 resolution would not apply to Aspen Hill or Twinbrook, to cite two very close by
40 examples, where if the absence of free parking in downtown Rockville is such a
41 hardship and people don't live close enough to walk to downtown Rockville and they
42 must drive, they can drive to Aspen Hill, they can drive to Twinbrook. I'm not proposing
43 any change, I'm not proposing metering at Long Branch, Twinbrook, -- or any other
44 library outside of a Metro Station policy area. All I'm saying is that this politically



May 6, 2008

1 motivated policy that negated the long planning that Rockville and Montgomery County
2 had engaged in was a bad policy two years ago and I think we ought to overturn it.

3
4 Council President Knapp,
5 Okay.

6
7 Councilmember Leventhal,
8 And it's being abused as we anticipated it would be.

9
10 Council President Knapp,
11 Council Vice-President Andrews, followed by Councilmember Elrich, and hopefully, we
12 don't have to go around again, but hopefully, this will eliminate the need for opening
13 statements when we introduce the resolution next week. With any luck. With any luck.

14
15 Councilmember Elrich,
16 Fair enough.

17
18 Council President Knapp,
19 Council Vice-President Andrews.

20
21 Councilmember Andrews,
22 All right. Thank you. Well, first, I commend my colleague for doing what he thought was
23 right. I wouldn't want you to do anything else. Will Rogers once said do what you think is
24 right, it will please some and astonish the rest. I hope you would agree that I do what I
25 think is right as well. I will say that I think scammed is a very strong word and we should
26 find out if people are being told to use it in this way. Again, at this point that's all
27 anecdotal and the policy itself is what is before us. The abuse is an issue that is a
28 subset of any policy in terms of whether it's speeding or what have you. I had a question
29 for Councilmember Leventhal. You indicated that you were withdrawing your suggestion
30 that you had made in the Committee on this. And so.

31
32 Councilmember Leventhal,
33 For now.

34
35 Councilmember Andrews,
36 For now.

37
38 Councilmember Floreen,
39 There's no Committee recommendation.

40
41 Councilmember Andrews,
42 All right, so.

43
44 Councilmember Leventhal,



May 6, 2008

1 I agree with you, Phil.

2
3 Councilmember Andrews,
4 Okay.

5
6 Councilmember Leventhal,
7 That the policy ought to come first.

8
9 Councilmember Andrews,
10 Okay.

11
12 Councilmember Leventhal,
13 I'm conceding that point.

14
15 Councilmember Andrews,
16 Okay.

17
18 Councilmember Leventhal,
19 We ought to change the policy and therefore with my friends Mr. Berliner and Ms. Ervin
20 we've introduced a resolution that would accomplish that. I agree we can't simply take
21 the money away absent reversal of the Council's policy and therefore I'm proposing that
22 we do just as you suggest, that we address the policy first.

23
24 Councilmember Andrews,
25 Okay. So the recommendation from the Committee not to fund this is no longer the
26 recommendation of the Committee at this time.

27
28 Councilmember Leventhal,
29 Well, hold on now. I mean, the Committee did act. The statement in the resolution is
30 true. On May 2nd the Committee continued recommending discontinuing the subsidy.
31 That is a true statement. That is not negated. That sentence is a true sentence.

32
33 Councilmember Andrews,
34 So it will still require a vote then of the full body to restore it. I want to just be clear about
35 where we are in the process here.

36
37 Councilmember Leventhal,
38 Okay, what would have to happen.

39
40 Councilmember Floreen,
41 That's a fair question.

42
43 Councilmember Leventhal,



May 6, 2008

1 If the question is directed to me, I'll answer the question. Okay. This resolution will come
2 before the Council at such time as the Council President schedules it.

3
4 Council President Knapp,
5 I guess what I would.

6
7 Councilmember Leventhal,
8 Wait. And then we would vote on the resolution, and then presumably.

9
10 Council President Knapp,
11 Right.

12
13 Councilmember Leventhal,
14 If the policy were negated, then there would be no need for the funds. The funds could
15 be reprogrammed.

16
17 Council President Knapp,
18 There's no required decision at this time but between now and probably May 22nd we
19 will have to achieve something either to have a motion to reinstate it if such is at case or
20 to act on the resolution depending on how we'll set this up over the course of the next.

21
22 Councilmember Leventhal,
23 For today, for right now the NDA and the \$84,000 are in place. There's no change for
24 right now.

25
26 Councilmember Floreen,
27 Okay. With that.

28
29 Council President Knapp,
30 Hold on, hold on, hold on, hold on, we've got, just a second, Council Vice-President still
31 has the floor.

32
33 Councilmember Andrews,
34 I applaud that.

35
36 Council President Knapp,
37 Very good. Okay. We have Councilmember Elrich, then.

38
39 Councilmember Floreen,
40 The Chair.

41
42 Council President Knapp,
43 Then the Chair of the Committee for the final word on what she's been hosting anyway.
44



May 6, 2008

1 Councilmember Elrich,

2 Two quick thoughts. One is, I'm concerned about the Metro policy area thing for a
3 reason. One is, for example, were the Purple Line to get built, or a Corridor Cities
4 Transitway to get built and a stop to be placed in downtown Germantown near the
5 Germantown Library or a stop be placed in Long Branch near the Long Branch Library,
6 do they then become, you know, do they meet the criteria of what are Metro policy
7 areas accessible by mass transit and then are all those things going to be subsequently
8 metered because they will then fall under the criteria of being within.

9
10 Council President Knapp,

11 It actually makes sense to meter Germantown so.

12
13 Councilmember Elrich,

14 You can propose that. But my concern is the other issue about Metro policy area which
15 it overstates what the library serves. I mean, I'm well familiar with the Silver Spring
16 Library and the Wheaton Library. They serve a community that extends pretty
17 extensively beyond what we think of as the downtown CBD. And they're not focused on
18 that urban core in the CBD. They survived a long time in the absence of a lot of housing
19 in the CBD core. They draw from the neighborhoods that are not really in walking
20 distance or anything else of that library. So while they're in a Metro policy area, they
21 don't survive because of density of the Metro policy area. They survive because of the
22 density in the neighborhoods around it. And my concern about using this as the
23 distinction is that it kind of implies that there's a density there that makes this library
24 function and who it serves a little bit different than what these other libraries are. I'll
25 contend that those libraries draw on probably as wide an area as some of the other
26 libraries in the County. They're really not all that special.

27
28 Councilmember Leventhal,

29 I would just, if I may.

30
31 Council President Knapp,

32 Well, we will have ample time actually to debate the resolution itself. And so rather than
33 get into a debate on it now which we've gone through twice, I'd like to have the Chair
34 kind of conclude with some concluding remarks and then we'll introduce and then we
35 will have the opportunity.

36
37 Councilmember Leventhal,

38 But that only makes Mr. Elrich restate his question later, I mean, a question's been
39 asked.

40
41 Council President Knapp,

42 I'm pretty sure it will probably happen anyway.

43
44 Councilmember Elrich,



May 6, 2008

1 Yeah, we'll do this again.

2
3 Councilmember Leventhal,
4 Okay.

5
6 Council President Knapp,
7 Councilmember Floreen.

8
9 Councilmember Floreen,
10 Well, I do want the record to be clear on where we are for both for the Committees'
11 perspective, certainly of Mr. Andrew's perspective, with whom I, which I share and
12 Council President's perspective. The Committee recommendation had been to reduce,
13 delete the reimbursement for free patron parking at the Rockville Library. Now, that was
14 the Committee recommendation. If I am hearing that Mr. Leventhal and Mr. Berliner are
15 now not supporting that recommendation, then the Committee recommendation is
16 indeed different. I didn't hear that though. And so I wanted to be, us to be very clear on
17 where we were because just for the record, I believe that the Committee
18 recommendation is still before the Council.

19
20 Councilmember Leventhal,
21 Okay. May I state it this way? May I state it this way?

22
23 Council President Knapp,
24 The Committee recommendation is still before the Council. The Council has not yet
25 acted upon it.

26
27 Glenn Orlin,
28 To just defer.

29
30 Councilmember Floreen,
31 Well, unless the Council does something.

32
33 Glenn Orlin,
34 Just defer the vote.

35
36 Council President Knapp,
37 We've effectively deferred action at this point in time.

38
39 Glenn Orlin,
40 Until you vote on the resolution.

41
42 Council President Knapp,
43 I got it. That's where we are.



May 6, 2008

1 Councilmember Floreen,
2 So out of everything in the Transportation budget.

3
4 Council President Knapp,
5 Yes. That, we've deferred.

6
7 Councilmember Floreen,
8 All right. So everybody knows, this is the only outstanding issue.

9
10 Council President Knapp,
11 Correct.

12
13 Councilmember Floreen,
14 In the Transportation budget. We'll leave that to the wisdom of the Council President.

15
16 Council President Knapp,
17 Such as it is.

18 Councilmember Floreen,
19 To take care of in the next few days.
20 Fine. I will note though in a \$48 million budget it is the 87,000, \$84,000 item as with
21 everything.

22
23 Council President Knapp,
24 Isn't that always the way?

25
26 Councilmember Floreen,
27 That has consumed the most amount of time. I thank everybody for their hard work.

28
29 Councilmember Andrews,
30 That'll change on Friday.

31
32 Councilmember Floreen,
33 And I just would say, ironically, you will note, although this is the Transportation budget,
34 we spent most of our time talking about the nonmoving parts, which is when the
35 vehicles, the people are stable and something to think of there, that's certainly true, and
36 I do think that we owe everyone, certainly staff, the public, a fair conversation on the
37 parking policy. I think we, to be fair to everyone, we need to organize our thoughts as to
38 how we're going to address this in a consistent fashion and not pull up County staff
39 short when we're in the middle of a process. Councilmember Berliner came to that
40 conclusion in the discussion of garage 31. These are all valid questions. They need to
41 be fully vetted as Mr. Andrews pointed out, and I think we need to find ourselves a
42 forum and work together to find a way to bring all these different points of view to the
43 table to public discussion and hash them out in a policy that will allow us to guide our
44 further actions in this regard. I don't know if we fund it through Park and Planning,

